

CHAPTER 256

DEPARTMENT OF EDUCATION

Referred to in §84A.1B, 235A.15, 235B.6, 279.13

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SUBCHAPTER I

GENERAL PROVISIONS

256.1 Department established.

1. The department of education is established to act in a policymaking and advisory capacity and to exercise general supervision over the state system of education including all of the following:

- a. Public elementary and secondary schools.
- b. Community colleges.
- c. Area education agencies.
- d. Educational supervision over the elementary and secondary schools under the control of the department of health and human services.
- e. Nonpublic schools to the extent necessary for compliance with Iowa school laws.
- f. The Iowa educational services for the blind and visually impaired program.
- g. The Iowa school for the deaf.
- h. The science, technology, engineering, and mathematics collaborative initiative within the innovation division of the department.

i. The college student aid commission within the higher education division of the department.

j. The board of educational examiners within the higher education division of the department.

k. Career and technical education programs offered by school districts or community colleges.

2. The department shall stimulate and encourage educational radio and television and other educational communications services as necessary to aid in accomplishing the educational objectives of the state.

3. The department shall meet the informational needs of the three branches of state government.

4. The department shall act as an administrative, supervisory, and consultative state agency.

[86 Acts, ch 1245, §1401](#); [93 Acts, ch 48, §12](#); [94 Acts, ch 1023, §92](#); [2023 Acts, ch 19, §980, 1361, 2238, 2518](#)

Referred to in [§7E.5, 84A.16, 292.1](#)
 Subsection 1, paragraph d stricken
 Subsection 1, paragraph e amended and redesignated as d
 Subsection 1, paragraph f redesignated as e
 Subsection 1, NEW paragraphs f – k
 Subsection 4 stricken and subsection 5 renumbered as 4

256.2 Definitions.

As used in [this chapter](#):

1. “*Department*” means the department of education.

2. “*Director*” means the director of the department of education.

3. “*Online learning*” and “*online coursework*” mean educational instruction and content which are delivered primarily over the internet. “*Online learning*” and “*online coursework*” do not include print-based correspondence education, broadcast television or radio, videocassettes, or stand-alone educational software programs that do not have a significant internet-based instructional component.

4. “*State board*” means the state board of education.

5. “*Telecommunications*” means narrowcast communications through systems that are directed toward a narrowly defined audience and includes interactive live communications. “*Telecommunications*” does not include online learning.

[86 Acts, ch 1245, §1402](#); [2012 Acts, ch 1119, §13](#); [2015 Acts, ch 30, §86](#)

256.3 State board established.

1. The state board of education is established for the department. The state board consists of ten members: nine voting members and one nonvoting student member. The voting members shall be appointed by the governor subject to senate confirmation. The nonvoting student member shall be appointed as provided in [section 256.5A](#).

2. The voting members shall be registered voters of the state and hold no other elective or appointive state office. Not more than five voting members shall be of the same political party. Three of the voting members shall have substantial knowledge related to the community college system. The remaining six voting members shall be members of the general public. A voting member shall not be engaged in professional education for a major portion of the member’s time nor shall the member derive a major portion of income from any business or activity connected with education.

3. The terms of office for voting members are for six years beginning and ending as provided in [section 69.19](#).

[86 Acts, ch 1245, §1403](#); [90 Acts, ch 1253, §4](#); [95 Acts, ch 49, §4](#); [2002 Acts, ch 1140, §1](#); [2016 Acts, ch 1011, §42](#)

Referred to in [§256.31](#)
 Confirmation, see [§2.32](#)

256.4 Oath — vacancies.

The members of the state board shall qualify by taking the regular oath of office as prescribed by law for state officers. Vacancies in the voting membership shall be filled in the same manner in which regular appointments are required to be made.

86 Acts, ch 1245, §1404; 2002 Acts, ch 1140, §2

256.5 Compensation and expenses.

The members of the state board shall be reimbursed for actual and necessary expenses incurred while engaged in their official duties. Members of the state board may also be eligible to receive compensation as provided in [section 7E.6](#). All expense moneys paid to the members shall be paid from funds appropriated to the department.

86 Acts, ch 1245, §1405

256.5A Nonvoting member.

1. *a.* The governor shall appoint the one nonvoting student member of the state board for a term of one year if the student is enrolled in grade eleven or for a term of two years if the student is enrolled in grade ten. The term shall begin and end as provided in [section 69.19](#). The nonvoting student member shall be appointed from a list of names submitted by the state board of education. Students enrolled in either grade ten or eleven in a public school may apply to the state board to serve as a nonvoting student member.

b. The department shall develop an application process that requires the consent of the student's parent or guardian if the student is a minor, initial application approval by the school district in which the student applicant is enrolled, and submission of approved applications by a school district to the department.

2. The nonvoting student member's school district of enrollment shall notify the student's parents if the student's grade point average falls during the period in which the student is a member of the state board.

3. The state board shall adopt rules under [chapter 17A](#) specifying criteria for the selection of applicants whose names shall be submitted to the governor. Criteria shall include but are not limited to academic excellence, participation in extracurricular and community activities, and interest in serving on the board. Rules adopted by the state board shall also require, if the student is a minor, supervision of the student by the student's parent or guardian while the student is engaged in authorized state board business at a location other than the community in which the student resides, unless the student's parent or guardian submits to the state board a signed release indicating the parent or guardian has determined that supervision of the student by the parent or guardian is unnecessary.

4. The nonvoting student member appointment is not subject to [section 69.16](#) or [69.16A](#).

5. The nonvoting student member shall have been enrolled in a public school in Iowa for at least one year prior to the member's appointment.

6. A nonvoting student member shall be paid a per diem as provided in [section 7E.6](#) and the student and the student's parent or guardian shall be reimbursed for actual and necessary expenses incurred in the performance of the student's duties as a nonvoting member of the state board.

7. A vacancy in the membership of the nonvoting student member shall not be filled until the expiration of the term.

2002 Acts, ch 1140, §3; 2003 Acts, ch 180, §1; 2013 Acts, ch 88, §1

Referred to in [§256.3](#)

256.6 Regular and special meetings.

The state board shall meet in May of each year for purposes of organization and shall hold at least five additional regular meetings during the twelve-month period ending April 30. Special meetings of the state board may be called by the president or by any five members of the board on five days' notice given to each member.

86 Acts, ch 1245, §1406; 88 Acts, ch 1013, §1

256.7 Duties of state board.

Except for the higher education division; the bureaus, boards, and commissions within the higher education division; and the public broadcasting board and division, the state board shall:

1. Adopt and establish policy for programs and services of the department pursuant to law.
2. Constitute the state board for career and technical education under [subchapter VII, part 2](#).
3.
 - a. Prescribe standards and procedures for the approval of practitioner preparation programs and professional development programs offered in this state by practitioner preparation institutions located within or outside this state and by area education agencies.
 - b. Procedures provided for approval of programs shall include procedures for enforcement of the prescribed standards and shall not include a procedure for the waiving of any of the standards prescribed.
 - c. By July 1, 2022, the board, in collaboration with the Iowa reading research center, shall adopt rules under [chapter 17A](#) prescribing standards and procedures for the approval of practitioner preparation programs that are affiliated with the Iowa reading research center and that offer practitioner preparation for the advanced dyslexia specialist endorsement issued by the board of educational examiners pursuant to [section 256.146, subsection 21](#). The department shall not approve programs that prepare practitioners for such an endorsement if the programs are not approved by the Iowa reading research center.
 - d. The board may establish by rule and collect from practitioner preparation institutions located outside this state an amount equivalent to the department's necessary travel and actual expenses incurred while engaged in the program approval process for the institution located outside this state. Amounts collected under [this subsection](#) shall be deposited in the general fund of the state.
4. Adopt, and update annually, a five-year plan for the achievement of educational goals in Iowa.
5. Adopt rules under [chapter 17A](#) for carrying out the responsibilities of the department.
6. Hear appeals of persons aggrieved by decisions of boards of directors of school corporations under [chapter 290](#) and other appeals prescribed by law. The state board may review the record and shall review the decision of the director of the department of education or the administrative law judge employed by the division of administrative hearings created by [section 10A.801](#) and designated for any appeals heard and decided by the director under [chapter 290](#), and may affirm, modify, or vacate the decision, or may direct a rehearing before the director.
7. Adopt rules under [chapter 17A](#) for the use of telecommunications as an instructional tool for students enrolled in kindergarten through grade twelve and served by local school districts, accredited or approved nonpublic schools, area education agencies, community colleges, institutions of higher education under the state board of regents, and independent colleges and universities in elementary and secondary school classes and courses. The rules shall include but need not be limited to rules relating to programs, educational policy, instructional practices, staff development, use of pilot projects, curriculum monitoring, and the accessibility of licensed teachers.
 - a. When curriculum is provided by means of telecommunications, it shall be taught by an appropriately licensed teacher. The teacher shall either be present in the classroom, or be present at the location at which the curriculum delivered by means of telecommunications originates.
 - b. The rules shall provide that when the curriculum is taught by an appropriately licensed teacher at the location at which the telecommunications originates, the curriculum received at a remote site shall be under the supervision of a licensed teacher. The licensed teacher at the originating site may provide supervision of students at a remote site or the school district in which the remote site is located may provide for supervision at the remote site if the school district deems it necessary or if requested to do so by the licensed teacher at the originating site. For the purposes of [this subsection](#), "supervision" means that the curriculum is monitored

by a licensed teacher and the teacher is accessible to the students receiving the curriculum by means of telecommunications.

c. The state board shall establish an advisory committee to make recommendations for rules required under [this subsection](#) on the use of telecommunications as an instructional tool. The committee shall be composed of representatives from community colleges, area education agencies, accredited or approved nonpublic schools, and local school districts from various enrollment categories. The representatives shall include board members, school administrators, teachers, parents, students, and associations interested in education.

8. Rules adopted under [this section](#) shall provide that telecommunications shall not be used by school districts as the exclusive means to provide any course which is required by the minimum educational standards for accreditation.

9. Develop evaluation procedures that will measure the effects of instruction by means of telecommunications on student achievement, socialization, intellectual growth, motivation, and other related factors deemed relevant by the state board, for the development of an educational database. The state board shall consult with the state board of regents and the practitioner preparation departments at its institutions, other practitioner preparation departments located within private colleges and universities, educational research agencies or facilities, and other agencies deemed appropriate by the state board, in developing these procedures.

10. Adopt rules pursuant to [chapter 17A](#) relating to educational programs and budget limitations for educational programs pursuant to [sections 282.29, 282.30, 282.31, and 282.33](#).

11. Prescribe guidelines for facility standards, maximum class sizes, and maximum in classroom pupil-teacher and teacher-aide ratios for grades kindergarten through three and before and after school and summer child care programs provided under the direction of the school district. The department also shall indicate modifications to such guidelines necessary to address the needs of at-risk children.

12. Elect to a two-year term, from its members in each even-numbered year, a president of the state board, who shall serve until a successor is elected and qualified.

13. Adopt rules and a procedure for accrediting all apprenticeship programs in the state which receive state or federal funding. In developing the rules, the state board shall consult with schools and labor or trade organizations affected by or currently operating apprenticeship or training programs. Rules adopted shall be the same or similar to criteria established for the operation of apprenticeship programs at community colleges.

14. Require each community college which establishes a new jobs training project or projects and receives funds derived from or associated with the project or projects to establish a separate account to act as a repository for any funds received.

15. Reserved.

16. Adopt rules that set standards for approval of family support preservice and in-service training programs, offered by area education agencies and practitioner preparation institutions, and family support programs offered by or through local school districts.

17. Reserved.

18. Adopt rules that include children who retain some sight but who have a medically diagnosed expectation of visual deterioration within the definition of children requiring special education pursuant to [section 256B.2, subsection 1](#). Rules adopted pursuant to [this subsection](#) shall provide for or include, but are not limited to, the following:

a. A presumption that proficiency in braille reading and writing is essential for satisfactory educational progress for a visually impaired student who is not able to communicate in print with the same level of proficiency as a student of otherwise comparable ability at the same grade level. This presumption includes a student as defined in paragraph "b". A student for whom braille services are appropriate, as defined in [this subsection](#), is entitled to instruction in braille reading and writing that is sufficient to enable the pupil to communicate with the same level of proficiency as a pupil of otherwise comparable ability at the same grade level.

b. A pupil who retains some sight but who has a medically diagnosed expectation of visual deterioration in adolescence or early adulthood may qualify for instruction in braille reading and writing.

c. Instruction in braille reading and writing may be used in combination with other special education services appropriate to a pupil's educational needs.

d. The annual review of a pupil's individual education plan shall include discussion of instruction in braille reading and writing and a written explanation of the reasons why the pupil is using a given reading and writing medium or media. If the reasons have not changed since the previous year, the written explanation for the current year may refer to the fuller explanation from the previous year.

e. A pupil as defined in paragraph "b" whose primary learning medium is expected to change may begin instruction in the new medium before it is the only medium the pupil can effectively use.

f. A pupil who receives instruction in braille reading and writing pursuant to [this subsection](#) shall be taught by a teacher licensed to teach students with visual impairments.

19. For a school or school district with a school calendar measuring instructional time in days pursuant to [section 279.10, subsection 1](#), define the minimum school day as a day consisting of six hours of instructional time for grades one through twelve. The minimum hours shall be exclusive of the lunch period, but may include passing time between classes. Time spent on parent-teacher conferences shall be considered instructional time. A school or school district may record a day of school with less than the minimum instructional hours as a minimum school day if any of the following apply:

a. If emergency health or safety factors require the late arrival or early dismissal of students on a specific day.

b. If the total hours of instructional school time for grades one through twelve for any five consecutive school days equal a minimum of thirty hours, even though any one day of school is less than the minimum instructional hours because of a staff development opportunity provided for the professional instructional staff or because parent-teacher conferences have been scheduled beyond the regular school day. Furthermore, if the total hours of instructional time for the first four consecutive days equal at least thirty hours because parent-teacher conferences have been scheduled beyond the regular school day, a school or school district may record zero hours of instructional time on the fifth consecutive school day as a minimum school day.

20. Adopt rules that require the board of directors of a school district to waive school fees for indigent families.

21. Develop and adopt rules incorporating accountability for, and reporting of, student achievement into the standards and accreditation process described in [section 256.11](#). The rules shall provide for all of the following:

a. Requirements that all school districts and accredited nonpublic schools develop, implement, and file with the department a report that includes information necessary for the department of education to submit to the United States secretary of education the plan required pursuant to the federal Elementary and Secondary Education Act, as amended by the federal Every Student Succeeds Act, Pub. L. No. 114-95.

b. A set of core academic indicators in mathematics and reading in grades four, eight, and eleven, a set of core academic indicators in science in grades eight and ten, and another set of core indicators that includes but is not limited to graduation rate, postsecondary education, and successful employment in Iowa. Annually, the department shall report state data for each indicator in the condition of education report.

(1) Rules adopted pursuant to [this subsection](#) shall specify that the statewide summative assessment of student progress administered by school districts for purposes of the core academic indicators shall be the summative assessment developed by the Iowa testing program within the university of Iowa college of education and administered by the Iowa testing program's designee.

(2) For the school year beginning July 1, 2018, and each succeeding school year, the rules shall also require all of the following:

(a) That all students enrolled in school districts in grades three through eleven be administered an assessment in mathematics and English language arts, including reading and writing, during the last quarter of the school year and all students enrolled in school

districts in grades five, eight, and ten be administered an assessment in science during the last quarter of the school year.

(b) That the assessment, at a minimum, assess the core academic indicators identified in this paragraph “b”; be aligned with the Iowa common core standards in both content and rigor; accurately describe student achievement and growth for purposes of the school, the school district, and state accountability systems; provide valid, reliable, and fair measures of student progress toward college or career readiness; and meet the summative assessment requirements of the federal Every Student Succeeds Act, Pub. L. No. 114-95.

(c) That the assessment be available for administration in both paper-and-pencil and computer-based formats and include assessments in mathematics, science, and English language arts, including reading and writing.

(d) That the assessment be peer-reviewed by an independent, third-party evaluator to determine that the assessment is aligned with the Iowa core academic standards, provides a measurement of student growth and student proficiency, and meets the summative assessment requirements of the federal Every Student Succeeds Act, Pub. L. No. 114-95. The assessment developed by the Iowa testing program within the university of Iowa college of education shall be adjusted as necessary to meet the requirements of this subparagraph (2) as determined by the peer review.

22. Adopt rules and a procedure for the approval of para-educator preparation programs offered by a public school district, area education agency, community college, institution of higher education under the state board of regents, or an accredited private institution as defined in [section 256.183, subsection 1](#). The programs shall train and recommend individuals for para-educator certification under [section 256.157](#).

23. Adopt rules directing the community colleges to annually and uniformly submit data from the most recent fiscal year to the division of community colleges and workforce preparation,* using criteria determined and prescribed by the division via the management information system.

a. Financial data submitted to the division by a community college shall be broken down by fund.

b. Community colleges shall provide data to the division by a deadline set by the division. The deadline shall be set for a date that permits the division to include the data in a report submitted for state board approval and for review by December 15 of each year by the house and senate standing education committees and the joint subcommittee on education appropriations.

c. The department shall include a statewide summary of the financial data submitted in accordance with paragraph “a” in the annual condition of community colleges report, which upon approval of the state board, shall be submitted to the general assembly on or before February 1 of each year.

24. Adopt rules on or before January 1, 2001, to require school districts and accredited nonpublic schools to adopt local policies relating to health services, media services programs, and guidance programs, as part of the general accreditation standards applicable to school districts pursuant to [section 256.11](#). [This subsection](#) shall be applicable strictly for reporting purposes and shall not be interpreted to require school districts and accredited nonpublic schools to provide or offer health services, media services programs, or guidance programs.

25. Adopt rules establishing standards for school district and area education agency professional development programs and for individual teacher professional development plans in accordance with [section 284.6](#).

26. a. Adopt rules that establish a core curriculum and high school graduation requirements for all students in school districts and accredited nonpublic schools that include at a minimum satisfactory completion of four years of English and language arts, three years of mathematics, three years of science, and three years of social studies.

(1) The rules establishing high school graduation requirements shall provide that any student, at any grade level, who satisfactorily completes a high school-level unit of instruction at a school accredited under [section 256.11](#) has satisfactorily completed a unit of the high school graduation requirements for that area of instruction and the school district or accredited nonpublic school of enrollment shall issue high school credit for the unit to

the student unless the student is unable to demonstrate proficiency or the school district or accredited nonpublic school determines that the course unit completed by the student does not meet the school district's or accredited nonpublic school's standards, as appropriate. If a student is denied credit under this subparagraph, the school district or accredited nonpublic school denying credit shall provide to the student's parent or guardian in writing the reason for the denial.

(2) The rules shall allow a school district or accredited nonpublic school to award high school credit to an enrolled student upon the demonstration of required competencies for a course or content area, as approved by a teacher licensed under [subchapter VII, part 3](#). The school district or accredited nonpublic school shall determine the assessment methods by which a student demonstrates sufficient evidence of the required competencies.

(3) The rules establishing a core curriculum shall address the core content standards in [subsection 28](#) and the skills and knowledge students need to be successful in the twenty-first century. The core curriculum shall include social studies and twenty-first century learning skills which include but are not limited to civic literacy, health literacy, financial literacy, family life and consumer sciences, and employability skills; and shall address the curricular needs of students in kindergarten through grade twelve in those areas. The state board shall further define the twenty-first century learning skills components by rule.

(4) The rules shall provide for the establishment of high-quality standards for computer science education taught by elementary, middle, and high schools, in accordance with the goal established under [section 284.6A, subsection 1](#), setting a foundation for personal and professional success in a high-technology, knowledge-based Iowa economy.

b. Continue the inclusive process begun during the initial development of a core curriculum for grades nine through twelve including stakeholder involvement, including but not limited to representatives from the private sector and the business community, and alignment of the core curriculum to other recognized sets of national and international standards. The state board shall also recommend quality assessments to school districts and accredited nonpublic schools to measure the core curriculum.

c. Neither the state board nor the department shall require school districts or accredited nonpublic schools to adopt a specific textbook, textbook series, or specific instructional methodology, or acquire specific textbooks, curriculum materials, or educational products from a specific vendor in order to meet the core curriculum requirements of [this subsection](#) or the core content standards adopted pursuant to [subsection 28](#).

27. Adopt by rule the Iowa standards for school administrators, including the knowledge and skill criteria developed by the director in accordance with [section 256.9, subsection 47](#).

28. Adopt a set of core content standards applicable to all students in kindergarten through grade twelve in every school district and accredited nonpublic school. For purposes of [this subsection](#), "core content standards" includes reading, mathematics, and science. School districts and accredited nonpublic schools shall include, at a minimum, the core content standards adopted pursuant to [this subsection](#) in any set of locally developed content standards. School districts and accredited nonpublic schools are strongly encouraged to set higher expectations in local standards. As changes in federal law or regulation occur, the state board is authorized to amend the core content standards as appropriate.

29. Adopt rules establishing nutritional content standards for foods and beverages sold or provided on the school grounds of any school district or accredited nonpublic school during the school day exclusive of the food provided by any federal school food program or pursuant to an agreement with any agency of the federal government in accordance with the provisions of [chapter 283A](#), and exclusive of foods sold for fundraising purposes and foods and beverages sold at concession stands. The standards shall be consistent with the dietary guidelines for Americans issued by the United States department of agriculture food and nutrition service.

30. Set standards and procedures for the approval of training programs for individuals who seek an authorization issued by the board of educational examiners for the following:

a. Employment as a school business official responsible for the financial operations of a school district.

b. Employment as a school administration manager responsible for assisting a school principal in performing noninstructional duties.

31. a. Adopt by rule guidelines for school district implementation of [section 279.68](#), including but not limited to basic levels of reading proficiency on approved locally determined or statewide assessments and identification of tools that school districts may use in evaluating and reevaluating any student who may not be or who is determined not to be reading proficiently and is persistently at risk in reading, including but not limited to initial assessments and subsequent assessments, alternative assessments, and portfolio reviews. The state board shall adopt standards that provide a reasonable expectation that a student's progress toward reading proficiency under [section 279.68](#) is sufficient to master appropriate grade four level reading skills prior to the student's promotion to grade four.

b. Adopt rules for the Iowa reading research center and for implementation of the intensive summer literacy program developed and administered pursuant to [section 256.9, subsection 49](#).

c. Adopt rules to establish standards for the identification, selection, and use of research-based educational and instructional models for students identified as English learners, and standards for the professional development of the instructional staff responsible for implementation of those models.

32. a. Adopt rules for online learning in accordance with [section 256.11, subsection 17](#), and [section 256.43](#), and criteria for waivers granted pursuant to [section 256.11, subsection 17](#).

b. (1) Adopt rules which require that educational instruction and course content delivered primarily over the internet be aligned with the Iowa core content standards as applicable. Under such rules, a school district may develop and offer to students enrolled in the district educational instruction and course content for delivery primarily over the internet. A school district providing educational instruction and course content that are delivered primarily over the internet shall annually submit to the department, in the manner prescribed by the department, data that includes but is not limited to the following:

- (a) Student achievement and demographic characteristics.
- (b) Retention rates.
- (c) The percentage of enrolled students' active participation in extracurricular activities.
- (d) Academic proficiency levels, consistent with requirements applicable to all school districts and accredited nonpublic schools in this state.
- (e) Academic growth measures, which shall include either of the following:
 - (i) Entry and exit assessments in, at a minimum, math and English for elementary and middle school students, and additional subjects, including science, for high school students.
 - (ii) State-required assessments that track year-over-year improvements in academic proficiency.

(f) Academic mobility. To facilitate the tracking of academic mobility, school districts shall request the following information from the parent or guardian of a student enrolled in educational instruction and course content that are delivered primarily over the internet:

- (i) For a student newly enrolling, the reasons for choosing such enrollment.
- (ii) For a student terminating enrollment, the reasons for terminating such enrollment.
- (g) Student progress toward graduation. Measurement of such progress shall account for specific characteristics of each enrolled student, including but not limited to age and course credit accrued prior to enrollment in educational instruction and course content that are delivered primarily over the internet, and shall be consistent with evidence-based best practices.

(2) The department shall compile and review the data collected pursuant to this paragraph "b" and shall submit its findings and recommendations for the continued delivery of educational instruction and course content by school districts delivered primarily over the internet, in a report to the general assembly by January 15 annually.

c. Rules adopted pursuant to [this subsection](#) shall require that online learning coursework offered by school districts, accredited nonpublic schools, and area education agencies be rigorous, high-quality, aligned with the Iowa core and core content requirements and standards and the national standards of quality for online courses issued by an internationally recognized association for kindergarten through grade twelve online

learning, and taught by a teacher licensed under [subchapter VII, part 3](#), who has specialized training or experience in online learning, including but not limited to an online-learning-for-iowa-educators-professional-development project offered by area education agencies, a teacher preservice program, or comparable coursework.

33. a. For purposes of [this subsection](#):

(1) “Adverse childhood experience” means the same as defined in [section 279.70](#).

(2) “Postvention” means the same as defined in [section 279.70](#).

b. Adopt rules to require school districts to adopt protocols for suicide prevention and postvention and the identification of adverse childhood experiences and strategies to mitigate toxic stress response. The protocols shall be based on nationally recognized best practices.

34. Adopt rules under [chapter 17A](#) establishing a process by which the department shall approve state-recognized work-based learning programs consisting of structured educational and training programs that include authentic worksite training, such as registered apprenticeship programs, for purposes of eligible institutions under [section 256.228](#).

[86 Acts, ch 1245, §1407; 87 Acts, ch 224, §24, 25; 87 Acts, ch 207, §1; 87 Acts, ch 211, §2; 87 Acts, ch 233, §449; 88 Acts, ch 1266, §1; 89 Acts, ch 8, §1; 89 Acts, ch 206, §5; 89 Acts, ch 210, §1 – 3; 89 Acts, ch 265, §19 – 22; 90 Acts, ch 1249, §2, 3; 90 Acts, ch 1253, §5, 122; 90 Acts, ch 1272, §37; 91 Acts, ch 84, §1; 92 Acts, ch 1158, §2; 92 Acts, ch 1246, §26; 93 Acts, ch 48, §13; 93 Acts, ch 59, §1; 93 Acts, ch 82, §1; 94 Acts, ch 1043, §1; 94 Acts, ch 1091, §1 – 3; 94 Acts, ch 1193, §17; 96 Acts, ch 1007, §1; 96 Acts, ch 1127, §2; 98 Acts, ch 1176, §1; 98 Acts, ch 1202, §39, 46; 2000 Acts, ch 1098, §1; 2000 Acts, ch 1167, §1; 2000 Acts, ch 1170, §1; 2001 Acts, ch 24, §66, 74; 2001 Acts, ch 26, §1; 2002 Acts, ch 1140, §4; 2002 Acts, ch 1152, §1; 2003 Acts, ch 178, §56; 2003 Acts, ch 180, §2; 2004 Acts, ch 1145, §1; 2005 Acts, ch 149, §1, 2; 2006 Acts, ch 1152, §3, 4; 2007 Acts, ch 108, §1, 2; 2007 Acts, ch 214, §16, 17; 2008 Acts, ch 1127, §1; 2008 Acts, ch 1187, §140; 2008 Acts, ch 1191, §155; 2009 Acts, ch 54, §1; 2010 Acts, ch 1099, §1; 2011 Acts, ch 20, §4, 5; 2011 Acts, ch 71, §1; 2011 Acts, ch 131, §58, 158; 2011 Acts, ch 132, §41, 42, 106; 2012 Acts, ch 1119, §1, 3, 4, 14, 15, 24, 31; 2013 Acts, ch 121, §47, 79, 85; 2014 Acts, ch 1003, §1; 2014 Acts, ch 1013, §1, 2; 2014 Acts, ch 1092, §56; 2014 Acts, ch 1135, §7; 2015 Acts, ch 30, §87; 2015 Acts, ch 138, §99 – 101; 2016 Acts, ch 1036, §1; 2016 Acts, ch 1108, §24, 25; 2016 Acts, ch 1123, §1; 2016 Acts, ch 1132, §6; 2016 Acts, ch 1138, §13; 2017 Acts, ch 106, §1; 2017 Acts, ch 128, §1, 2, 4; 2018 Acts, ch 1037, §1, 2; 2018 Acts, ch 1051, §1; 2018 Acts, ch 1057, §1 – 3; 2018 Acts, ch 1119, §1 – 3; 2018 Acts, ch 1121, §1; 2018 Acts, ch 1172, §22; 2019 Acts, ch 30, §1; 2020 Acts, ch 1048, §1; 2020 Acts, ch 1063, §100; 2020 Acts, ch 1107, §1 – 3; 2020 Acts, ch 1117, §7, 14, 15; 2022 Acts, ch 1011, §1; 2022 Acts, ch 1103, §1, 9, 10; 2023 Acts, ch 19, §1362, 1716, 2519, 2523, 2542, 2543; 2023 Acts, ch 90, §1, 15](#)

Referred to in [§256.9, 256.11, 256.16, 256.28, 256.33, 256.43, 256.165, 256.218, 256.228, 256E.7, 256F.4, 256F.5, 257.11, 257.31, 257.43, 260C.4, 261B.3A, 261E.9, 273.2, 273.16, 279.10, 279.47, 279.61, 279.68, 280.3, 280.9, 282.18, 282.31, 282.33, 284.6, 284A.2, 284A.3, 284A.5, 284A.6, 284A.7, 290.5, 299A.6](#)

2022 amendment to subsection 3, paragraph b applies to students who attended or are attending practitioner preparation programs before, on, or after June 13, 2022; [2022 Acts, ch 1103, §10](#)

**Community colleges bureau” probably intended; corrective legislation is pending

Unnumbered paragraph 1 amended

Subsections 2 and 6 amended

Subsection 17 stricken

Subsection 21, paragraph a amended

Subsection 26, paragraph a, subparagraphs (2) and (3) amended

Subsection 32, paragraph c amended

256.8 Director of department of education.

The governor shall appoint a director of the department of education subject to confirmation by the senate. The director shall possess a background in education and administrative experience and shall serve at the pleasure of the governor.

[86 Acts, ch 1245, §1408](#)

Confirmation, see [§2.32](#)

256.9 Duties of director.

Except for the higher education division; the bureaus, boards, and commissions within the higher education division; and the public broadcasting board and division, the director shall:

1. Carry out programs and policies as determined by the state board.

2. Recommend to the state board rules necessary to implement programs and services of the department.

3. Establish divisions of the department as necessary or desirable in addition to divisions required by law. The organization of the department shall promote coordination of functions and services relating to administration, supervision, and improvement of instruction.

4. Employ personnel and assign duties and responsibilities of the department. The director shall appoint a deputy director and division administrators deemed necessary. They shall be appointed on the basis of their professional qualifications, experience in administration, and background. Members of the professional staff are not subject to the merit system provisions of [chapter 8A, subchapter IV](#), and are subject to [section 256.10](#).

5. Transmit to the department of management information about the distribution of state and federal funds pursuant to state law and rules of the department.

6. Develop a budget and transmit to the department of management estimates of expenditure requirements for all functions and services of the department.

7. Accept and administer federal funds apportioned to the state for educational and rehabilitation purposes and accept surplus commodities for distribution when made available by a governmental agency. The director may also accept grants and gifts on behalf of the department.

8. Cooperate with other governmental agencies and political subdivisions in the development of rules and enforcement of laws relating to education.

9. Conduct research on education matters.

10. Submit to each regular session of the general assembly recommendations relating to revisions or amendments to the school laws.

11. Approve, coordinate, and supervise the use of electronic data processing by school districts, area education agencies, and merged areas.

12. Act as the executive officer of the state board.

13. Act as custodian of a seal for the director's office and authenticate all true copies of decisions or documents.

14. Appoint advisory committees, in addition to those required by law, to advise in carrying out the programs, services, and functions of the department.

15. Provide the same educational supervision for the schools maintained by the director of health and human services as is provided for the public schools of the state and make recommendations to the director of health and human services for the improvement of the educational program in those institutions.

16. Interpret the school laws and rules relating to the school laws.

17. Hear and decide appeals arising from the school laws not otherwise specifically granted to the state board. If a school district, accredited nonpublic school, or area education agency requests that the director review information contained in a basic education data survey submission and the director finds that an error in the basic education data survey submission resulted in an incorrect determination by the board of educational examiners or the executive director of the board of educational examiners relating to licensure of a practitioner, the director shall notify the executive director of the board of educational examiners of the director's findings.

18. Prepare forms and procedures as necessary to be used by area education agency boards, district boards, school officials, principals, teachers, and other employees, and to insure uniformity, accuracy, and efficiency in keeping records in both pupil and cost accounting, the execution of contracts, and the submission of reports, and notify the area education agency board, district board, or school authorities when a report has not been filed in the manner or on the dates prescribed by law or by rule that the school will not be accredited until the report has been properly filed. The director shall include, on any report for which the department prescribes the form and manner of its submission, a reference to any state or federal statute, rule, or regulation that requires the inclusion of certain information in the report.

19. The department shall compile the financial information related to [chapters 423E*](#) and [423F](#) from the certified annual reports of each school district received pursuant to [section](#)

291.10, subsection 2, and shall submit the information to the general assembly in an annual report each February 1.

20. Determine by inspection, supervision, or otherwise, the condition, needs, and progress of the schools under the supervision of the department, make recommendations to the proper authorities for the correction of deficiencies and the educational and physical improvement of the schools, and request a state audit of the accounts of a school district, area education agency, school official, or school employee handling school funds when it is apparent that an audit should be made.

21. Preserve reports, documents, and correspondence that may be of a permanent value, which shall be open for inspection under reasonable conditions.

22. Keep a record of the business transacted by the director.

23. Endeavor to promote among the people of the state an interest in education.

24. Classify and define the various schools under the supervision of the department, formulate suitable courses of study, and publish and distribute the classifications and courses of study and promote their use.

25. Direct area education agency administrators to arrange for professional teachers' meetings, demonstration teaching, or other field work for the improvement of instruction as best fits the needs of the public schools in each area.

26. Approve the salaries of area education agency administrators.

27. Develop criteria and procedures to assist in the identification of at-risk children and their developmental needs.

28. Develop, in conjunction with the child development coordinating council or other similar agency, child-to-staff ratio recommendations and standards for at-risk programs based on national literature and test results and Iowa longitudinal test results.

29. Develop programs in conjunction with the center for early development education to be made available to the school districts to assist them in identification of at-risk children and their developmental needs.

30. a. Conduct or direct the area education agency to conduct feasibility surveys and studies, if requested under [section 282.11](#), of the school districts within the area education agency service areas and all adjacent territory, including but not limited to contiguous districts in other states, for the purpose of evaluating and recommending proposed whole grade sharing agreements requested under [section 282.7](#) and [section 282.10, subsections 1 and 4](#). The surveys and studies shall be revised periodically to reflect reorganizations which may have taken place in the area education agency, adjacent territory, and contiguous districts in other states. The surveys and studies shall include a cover page containing recommendations and a short explanation of the recommendations. The factors to be used in determining the recommendations include but are not limited to:

(1) The possibility of long-term survival of the proposed alliance.

(2) The adequacy of the proposed educational programs versus the educational opportunities offered through a different alliance.

(3) The financial strength of the new alliance.

(4) Geographical factors.

(5) The impact of the alliance on surrounding schools.

b. Copies of the completed surveys and studies shall be transmitted to the affected districts' school boards.

31. a. Develop standards and instructional materials to do all of the following:

(1) Assist school districts in developing appropriate before and after school programs for elementary school children.

(2) Assist school districts in the development of child care services and programs to complement half-day and all-day kindergarten programs.

(3) Assist school districts in the development of appropriate curricula for all-day, everyday kindergarten programs.

(4) Assist school districts in the development of appropriate curricula for the early elementary grades one through three.

(5) Assist prekindergarten instructors in the development of appropriate curricula and teaching practices.

b. Standards and materials developed shall include materials which employ developmentally appropriate practices and incorporate substantial parental involvement. The materials and standards shall include alternative teaching approaches including collaborative teaching and alternative dispute resolution training. The department shall consult with the child development coordinating council, the state child care advisory committee established pursuant to [section 135.173A](#), the department of health and human services, the state board of regents center for early developmental education, the area education agencies, the department of human development and family studies in the college of human sciences at Iowa state university of science and technology, the early childhood elementary division of the college of education at the university of Iowa, and the college of education at the university of northern Iowa, in developing these standards and materials.

c. For purposes of [this subsection](#), “*substantial parental involvement*” means the physical presence of parents in the classroom, learning experiences designed to enhance the skills of parents in parenting and in providing for their children’s learning and development, or educational materials which may be borrowed for home use.

32. Develop, or direct the area education agencies to develop, a statewide technical assistance support network to provide school districts or district subcontractors under [section 279.49](#) with assistance in creating developmentally appropriate programs under [section 279.49](#).

33. Administer and approve grants to school districts which provide innovative in-school programming for at-risk children in grades kindergarten through three, in addition to regular school curricula for children participating in the program, with the funds for the grants being appropriated for at-risk children by the general assembly. Grants approved shall be for programs in schools with a high percentage of at-risk children. Preference shall be given to programs which integrate at-risk children with the rest of the school population, which agree to limit class size and pupil-teacher ratios, which include parental involvement, which demonstrate community support, which cooperate with other community agencies, which provide appropriate guidance counseling services, and which use teachers with an early childhood endorsement. Grant programs shall contain an evaluation component that measures student outcomes.

34. Provide educational resources and technical assistance to schools relating to the implementation of the nutritional guidelines for food and beverages sold on public school grounds or on the grounds of nonpublic schools receiving funds under [section 283A.10](#).

35. Explore, in conjunction with the state board of regents, the need for coordination between school districts, area education agencies, regents institutions, and community colleges for purposes of delivery of courses, use of telecommunications, transportation, and other similar issues. Coordination may include but is not limited to coordination of calendars, programs, schedules, or telecommunications emissions.

36. Reserved.

37. Develop in-service and preservice training programs through the area education agencies and practitioner preparation institutions and guidelines for school districts for the establishment of family support programs. Guidelines developed shall describe barriers to learning and development which can affect children served by family support programs.

38. Serve as an ex officio member of the commission of libraries.

39. a. Grant annual exemptions from one or more of the minimum education standards contained in [section 256.11](#) and rules adopted by the state board of education to nonpublic schools or public school districts who are engaging in comprehensive school transformation efforts that are broadly consistent with the current standards, but require exemption from one or more standards in order to implement the comprehensive school transformation effort within the nonpublic school or school district. Nonpublic schools or public school districts wishing to be exempted from one or more of the minimum standards contained in [section 256.11](#) and rules adopted by the state board of education shall file a request for an exemption with the department. Requests for exemption shall include all of the following:

(1) A description of the nonpublic school or public school district’s school transformation plan, including but not limited to new structures, methodologies, and creative approaches designed to help students achieve at higher levels.

(2) Identification of the standard or standards for which the exemption is being sought, including a statement of the reasons for requesting the exemption from the standard or standards.

(3) Identification of a method for periodic demonstration that student achievement will not be lessened by the granting of the exemption.

b. The director shall develop a procedure for application for exemption and receipt, review, and evaluation of nonpublic school and public school district requests, including but not limited to development of criteria for the granting or denying of requests for exemptions and a timeline for the submission, review, and granting or denying of requests for exemption from one or more standards.

40. Develop and administer, with the cooperation of the department of veterans affairs, a program which shall be known as operation recognition. The purpose of the program is to award high school diplomas to veterans of World War I, World War II, and the Korean and Vietnam conflicts who left high school prior to graduation to enter United States military service. The department of education and the department of veterans affairs shall jointly develop an application procedure, distribute applications, and publicize the program to school districts, accredited nonpublic schools, county commissions of veteran affairs, veterans organizations, and state, regional, and local media. All honorably discharged veterans who are residents or former residents of the state; who served at any time between April 6, 1917, and November 11, 1918, at any time between September 16, 1940, and December 31, 1946, at any time between June 25, 1950, and January 31, 1955, or at any time between February 28, 1961, and May 5, 1975, all dates inclusive; and who did not return to school and complete their education after the war or conflict shall be eligible to receive a diploma. Diplomas may be issued posthumously. Upon approval of an application, the department shall issue an honorary high school diploma for an eligible veteran. The diploma shall indicate the veteran's school of attendance. The department of education and the department of veterans affairs shall work together to provide school districts, schools, communities, and county commissions of veteran affairs with information about hosting a diploma ceremony on or around Veterans Day. The diploma shall be mailed to the veteran or, if the veteran is deceased, to the veteran's family.

41. Reconcile, with the assistance of the community colleges, audited financial statements and the financial data submitted to the department. The reconciliation shall include an analysis of funding by funding source.

42. Develop core knowledge and skill criteria, based upon the Iowa teaching standards, for the evaluation, the advancement, and for teacher career development purposes pursuant to [chapter 284](#). The criteria shall further define the characteristics of quality teaching as established by the Iowa teaching standards. The director, in consultation with the board of educational examiners, shall also develop a transition plan for implementation of the career development standards developed pursuant to [section 256.7, subsection 25](#), with regard to licensure renewal requirements. The plan shall include a requirement that practitioners be allowed credit for career development completed prior to implementation of the career development standards developed pursuant to [section 256.7, subsection 25](#).

43. Disburse, transfer, or receive funds as authorized or required under federal or state law or regulation in a manner that utilizes electronic transfer of the funds whenever possible.

44. Develop and implement a comprehensive management information system designed for the purpose of establishing standardized electronic data collections and reporting protocols that facilitate compliance with state and federal reporting requirements, improve school-to-school and district-to-district information exchanges, and maintain the confidentiality of individual student and staff data. The system shall provide for the electronic transfer of individual student records between schools, districts, postsecondary institutions, and the department. The director may establish, to the extent practicable, a uniform coding and reporting system, including a statewide uniform student identification system.

45. Prepare and submit to the chairpersons and ranking members of the senate and house education committees a report on the state's progress toward closing the achievement gap, including student achievement for minority subgroups, and a comprehensive summary of

state agency and local district activities and practices taken in the past year to close the achievement gap.

46. *a.* Develop and make available to school districts, examples of age-appropriate and research-based materials and lists of resources which parents may use to teach their children to recognize unwanted physical and verbal sexual advances, to not make unwanted physical and verbal sexual advances, to effectively reject unwanted sexual advances, that it is wrong to take advantage of or exploit another person, about the dangers of sexual exploitation by means of the internet including specific strategies to help students protect themselves and their personally identifiable information from such exploitation, and about counseling, medical, and legal resources available to survivors of sexual abuse and sexual assault, including resources for escaping violent relationships. The materials and resources shall cover verbal, physical, and visual sexual harassment, including nonconsensual sexual advances, and nonconsensual physical sexual contact. In developing the materials and resource list, the director shall consult with entities that shall include but not be limited to the departments of health and human services and public safety, education stakeholders, and parent-teacher organizations. School districts shall provide age-appropriate and research-based materials and a list of available community and internet-based resources to parents at registration and shall also include the age-appropriate and research-based materials and resource list in the student handbook. School districts are encouraged to work with their communities to provide voluntary parent education sessions to provide parents with the skills and appropriate strategies to teach their children as described in [this subsection](#). School districts shall incorporate the age-appropriate and research-based materials into relevant curricula and shall reinforce the importance of preventive measures when reasonable with parents and students.

b. Make available scientifically based research studies in the area of health and wellness literacy for use by school districts and nonpublic schools in educating students. The content shall include but not be limited to research on instructional materials and teaching strategies that have proven effective in teaching students the knowledge and skills included in paragraph “*a*” and [section 256.11](#). School districts are encouraged to incorporate as much of this material as practical.

47. Develop Iowa standards for school administrators, including knowledge and skill criteria, and develop, based on the Iowa standards for administrators, mentoring and induction, evaluation processes, and professional development plans pursuant to [chapter 284A](#). The criteria shall further define the characteristics of quality administrators as established by the Iowa standards for school administrators.

48. Establish and maintain a process and a procedure, in cooperation with the board of educational examiners, to compare a practitioner’s teaching assignment with the license and endorsements held by the practitioner. The director may report noncompliance issues identified by this process to the board of educational examiners pursuant to [section 256.160, subsection 4](#).

49. *a.* Develop and distribute, in collaboration with the area education agencies, core curriculum technical assistance and implementation strategies that school districts and accredited nonpublic schools shall utilize, including but not limited to the development and delivery of formative and end-of-course model assessments classroom teachers may use to measure student progress on the core curriculum adopted pursuant to [section 256.7, subsection 26](#). The department shall, in collaboration with the advisory group convened in accordance with paragraph “*b*” and educational assessment providers, identify and make available to school districts end-of-course and additional model end-of-course and additional assessments to align with the expectations included in the Iowa core curriculum.

b. Convene an advisory group comprised of education stakeholders including but not limited to school district and accredited nonpublic school teachers, school administrators, higher education faculty who teach in the subjects for which the curriculum is being adopted, private sector employers, members of the boards of directors of school districts, and individuals representing the educational assessment providers. The task force shall review the national assessment of educational progress standards and assessments used by other states, and shall consider standards identified as best practices in the field of study by

the national councils of teachers of English and mathematics, the national council for the social studies, the national science teachers association, and other recognized experts.

c. Establish, subject to an appropriation of funds by the general assembly, an Iowa reading research center which shall collaborate with the area education agencies in implementing the provisions of this paragraph “c”.

(1) The purpose of the center shall be to apply current research on literacy to provide for the development and dissemination of all of the following:

(a) Instructional strategies for prekindergarten through grade twelve to achieve literacy proficiency that includes reading, reading comprehension, and writing for all students.

(b) Strategies for identifying and providing evidence-based interventions for students, beginning in kindergarten, who are at risk of not achieving literacy proficiency.

(c) Models for effective school and community partnerships to improve student literacy.

(d) Reading assessments.

(e) Professional development strategies and materials to support teacher effectiveness in student literacy development. Subject to an appropriation of funds by the general assembly, the center shall collaborate and coordinate with the area education agencies and the department to develop and offer to school districts at no cost professional development services to enhance the skills of elementary teachers in the use of evidence-based strategies to improve the literacy skills of all students.

(f) Data reports on attendance center, school district, and statewide progress toward literacy proficiency in the context of student, attendance center, and school district demographic characteristics.

(g) An intensive summer literacy program. The center shall establish program criteria and guidelines for implementation of the program by school districts, under rules adopted by the state board pursuant to [section 256.7, subsection 31](#).

(2) The first efforts of the center shall focus on kindergarten through grade three. The center shall draw upon national and state expertise in the field of literacy proficiency, including experts from Iowa’s institutions of higher education and area education agencies with backgrounds in literacy development. The center shall seek support from the Iowa research community in data report development and analysis of available information from Iowa education data sources. The center shall work with the department to identify additional needs for tools and technical assistance for Iowa schools to help schools achieve literacy proficiency goals and seek public and private partnerships in developing and accessing necessary tools and technical assistance.

(3) The center shall submit a detailed annual financial report, a description of the center’s activities for the prior fiscal year, and a statement of its proposed and projected activities to the general assembly by January 15 annually.

50. Convene, in collaboration with the department of health and human services, a nutrition advisory panel to review research in pediatric nutrition conducted in compliance with accepted scientific methods by recognized professional organizations and agencies including but not limited to the institute of medicine. The advisory panel shall submit its findings and recommendations, which shall be consistent with the dietary guidelines for Americans published jointly by the United States department of health and human services and department of agriculture if in the judgment of the advisory panel the guidelines are supported by the research findings, in a report to the state board. The advisory panel may submit to the state board recommendations on standards related to federal school food programs if the recommendations are intended to exceed the existing federal guidelines. The state board shall consider the advisory panel report when establishing or amending the nutritional content standards required pursuant to [section 256.7, subsection 29](#). The director shall convene the advisory panel by July 1, 2008, and every five years thereafter to review the report and make recommendations for changes as appropriate. The advisory panel shall include but is not limited to at least one Iowa state university extension nutrition and health field specialist and at least one representative from each of the following:

a. The Iowa academy of nutrition and dietetics.

b. The school nutrition association of Iowa.

c. The Iowa association of school boards.

- d. The school administrators of Iowa.
- e. The Iowa chapter of the American academy of pediatrics.
- f. A school association representing parents.
- g. The Iowa grocery industry association.
- h. An accredited nonpublic school.
- i. The Iowa state education association.

51. Monitor school districts and accredited nonpublic schools for compliance with the nutritional content standards for foods and beverages adopted by the state board in accordance with [section 256.7, subsection 29](#). School districts and accredited nonpublic schools shall annually make the standards available to students, parents, and the local community. A school district or accredited nonpublic school found to be in noncompliance with the nutritional content standards by the director shall submit a corrective action plan to the director for approval which sets forth the steps to be taken to ensure full compliance.

52. Develop and implement a plan to provide, at least twice annually to all principals and guidance counselors employed by school districts and accredited nonpublic schools, notice describing how students can find and use the articulation information available on the internet site maintained by the state board of regents. The plan shall include suggested methods for elementary and secondary schools and community colleges to effectively communicate information about the articulation internet site to the following:

a. To all elementary and secondary school students interested in or potentially interested in attending a community college or institution of higher education governed by the state board of regents.

b. To all community college students interested in or potentially interested in admission to a baccalaureate degree program offered by an institution of higher education governed by the state board of regents.

53. Grant to public school districts and accredited nonpublic schools waivers from statutory obligations with which the entities cannot reasonably comply within two years after a disaster as defined in [section 29C.2, subsection 4](#).

54. Provide guidance and standards to area education agencies for federal and state education initiatives which the area education agencies must implement statewide.

55. Develop and maintain a list of approved online providers that provide course content through an online learning platform taught by a teacher licensed under [subchapter VII, part 3](#), who has specialized training or experience in online learning including but not limited to an online-learning-for-Iowa-educators-professional-development project offered by area education agencies, a teacher preservice program, or comparable coursework, and whose online learning coursework meets the requirements established by rule pursuant to [section 256.7, subsection 32](#), paragraph “c”. Providers shall apply for approval annually or as determined by the department.

56. a. Develop and implement a coaching and support system for teachers aligned with the framework and comparable systems approved as provided in [section 284.15](#).

b. Develop and implement in collaboration with education stakeholders, a coaching and support system for administrators. The coaching and support system shall be aligned with the beginning administrator mentoring and induction program created pursuant to [section 284A.5](#) and shall also be designed to support administrators in school districts approved to implement the framework and comparable systems set forth pursuant to [sections 284.15, 284.16, and 284.17](#). For the fiscal year beginning July 1, 2017, and each subsequent fiscal year, the coaching and support system for administrators shall be available to any school district whether or not the district has been approved to implement the framework and comparable systems set forth pursuant to [sections 284.15, 284.16, and 284.17](#).

57. Administer the workforce training and economic development funds created pursuant to [section 260C.18A](#).

58. Dedicate at least one-half of one of the department’s authorized full-time equivalent positions to maintain a fine arts consultant to provide guidance and assistance, including but not limited to professional development, strategies, and materials, to the department, school districts, and accredited nonpublic schools relating to music, visual art, drama and theater, and other fine and applied arts programs and coursework.

59. Develop and administer a seal of biliteracy program to recognize students graduating from high school who have demonstrated proficiency in two or more world languages, one of which may be American sign language, though one of which must be English. Participation in the program by a school district, attendance center, or accredited nonpublic school shall be voluntary. The department shall work with stakeholders to identify standardized tests that may be utilized to demonstrate proficiency. The department shall produce a seal of biliteracy, which may include but need not be limited to a sticker that may be affixed to a student's high school transcript or a certificate that may be awarded to the student. A participating school district or school shall notify the department of the names of the students who have qualified for the seal and the department shall provide the school district or school with the appropriate number of seals or other authorized endorsement. The department may charge a nominal fee to cover printing and postage charges related to issuance of the biliteracy seal under [this subsection](#).

60. By July 1, 2024, dedicate at least one of the department's authorized full-time equivalent positions to maintain a dyslexia consultant to provide technical guidance and assistance, including but not limited to professional development, strategies, and materials, to the department, area education agencies, school districts, and accredited nonpublic schools relating to the identification of and instruction for students with characteristics of dyslexia. The consultant shall be highly trained in dyslexia and have a minimum of three years of field experience in screening, identifying, and treating dyslexia and related disorders.

61. Develop and implement a statewide kindergarten through grade twelve computer science instruction plan by July 1, 2022.

62. Develop, establish, and distribute to all school districts evidence-based standards, guidelines, and expectations for the appropriate and inappropriate responses to behavior in the classroom that presents an imminent threat of bodily injury to a student or another person and for the reasonable, necessary, and appropriate physical restraint of a student, consistent with rules adopted by the state board pursuant to [section 280.21](#). The director shall consult with the area education agencies to create comprehensive and consistent standards and guidance for professional development relating to successfully educating individuals in the least restrictive environment, and for evidence-based interventions consistent with the standards established pursuant to [this subsection](#).

63. Develop and make available on the department's internet site general guidance for parents, guardians, and community members who have concerns about school districts or their governing boards.

64. Develop and distribute to school districts standards of practice for equity coordinators employed by school districts. To provide consistency in training statewide, the director shall also develop and distribute to school districts a training program on free speech under the first amendment to the Constitution of the United States which shall be used by school districts to provide training pursuant to [section 279.75](#).

65. Adopt rules to establish and maintain a process that requires the boards of directors of school districts to report to the department at least annually regarding student participation in work-based learning programs established by the board of directors of the school district, including registered apprenticeships, quality pre-apprenticeships, internships, on-the-job training, and projects through the Iowa clearinghouse for work-based learning.

66. Adopt rules relating to the administration of, and applications for, the education savings account program pursuant to [section 257.11B](#), including but not limited to application processing timelines and information required to be submitted by a parent or guardian.

67. a. Develop and implement a process for the reporting and investigation of any incident that arises that may reasonably lead to the conclusion that any individual who is employed by the board of directors of a school district, the authorities in charge of an accredited nonpublic school, or the governing board of a charter school, including an individual with a license, endorsement, certification, authorization, or statement of recognition issued by the board of educational examiners, has committed a felony or, in the case of an individual with a license, endorsement, certification, authorization, or statement of recognition issued by the board of educational examiners, has engaged in conduct

described in [section 256.160, subsection 1](#), paragraph “a”, subparagraph (1), subparagraph divisions (a) through (d).

b. The process shall prohibit the board of directors of a school district, the authorities in charge of an accredited nonpublic school, and the governing board of a charter school from entering into any of the following:

(1) A written or oral agreement that prohibits the board of directors of the school district, the authorities in charge of an accredited nonpublic school, the governing board of a charter school, an employee of the school district, the accredited nonpublic school, or the charter school, or a contractor of the school district, the accredited nonpublic school, or the charter school from discussing an incident, past performance or actions, past allegations leading to discipline or adverse employment action, or employee resignation with any governmental agent, governmental officer, or any potential employer.

(2) A written or oral agreement that waives the liability of an individual with a license, endorsement, certification, authorization, or statement of recognition issued by the board of educational examiners related to or arising from an incident, past performance or action, or past allegations of wrongdoing.

c. (1) The process shall require the board of directors of a school district, the authorities in charge of an accredited nonpublic school, and the governing board of a charter school to provide all documentation and information related to the incident to the board of educational examiners for investigation if the employee who is the subject of the incident and who has a license, endorsement, certification, authorization, or statement of recognition issued by the board of educational examiners resigns or the employee’s contract is terminated during the school district’s, accredited nonpublic school’s, or charter school’s investigation of the incident.

(2) The process shall require the board of directors of a school district, the authorities in charge of an accredited nonpublic school, and the governing board of a charter school to finalize the investigation of the incident even if the employee who is the subject of the incident and who does not have a license, endorsement, certification, authorization, or statement of recognition issued by the board of educational examiners resigns or the employee’s contract is terminated during the school district’s, accredited nonpublic school’s, or charter school’s investigation of the incident.

d. The process shall require that, prior to hiring an applicant for any position, the board of directors of a school district, the authorities in charge of an accredited nonpublic school, and the governing board of a charter school must conduct a review of the applicant’s employment history, including by contacting the applicant’s previous employers listed on the application for employment and by viewing the board of educational examiners’ public license information to determine if the applicant has a case pending with a finding of probable cause or any licensure sanction.

e. The process shall require the board of directors of a school district, the authorities in charge of an accredited nonpublic school, and the governing board of a charter school to maintain on forms prescribed by the department reference information related to all employees of the school district, accredited nonpublic school, or charter school, and respond to any request for such information from a potential employer. This paragraph shall not be construed to require the board of directors of a school district, the authorities in charge of an accredited nonpublic school, or the governing board of a charter school to disclose unfounded, closed investigations. The board of directors of a school district, the authorities in charge of an accredited nonpublic school, or the governing board of a charter school shall be immune from any criminal or civil liability arising from the disclosure of reference information under this paragraph if the school district, accredited nonpublic school, or charter school does not knowingly disclose false information.

f. The board of directors of a school district, the authorities in charge of an accredited nonpublic school, or the governing board of a charter school, and contractors of the school district, the accredited nonpublic school, or the charter school shall be immune from any civil liability arising from discussing an incident, past performance or actions, past allegations leading to discipline or adverse employment action, or employee resignation with any governmental agent, governmental officer, or any potential employer.

g. If the board of educational examiners finds that the board of directors of a school district, the authorities in charge of an accredited nonpublic school, or the governing board of a charter school has intentionally failed to follow the process established by [this subsection](#) regarding an incident, or the reporting requirements established pursuant to [section 256.160](#), related to an employee who holds a license, endorsement, certification, authorization, or statement of recognition issued by the board of educational examiners, any administrator of the school district, the accredited nonpublic school, or the charter school who intentionally failed to ensure compliance with the process shall be subject to a hearing conducted by the board of educational examiners.

h. If the department finds that the board of directors of a school district, the authorities in charge of an accredited nonpublic school, or the governing board of a charter school has intentionally failed to follow the process established by [this subsection](#) regarding an incident related to an employee who does not hold a license, endorsement, certification, authorization, or statement of recognition issued by the board of educational examiners, any administrator of the school district, the accredited nonpublic school, or the charter school who intentionally failed to ensure compliance with the process shall be subject to a hearing conducted by the board of educational examiners.

i. If the board of educational examiners finds that the board of directors of a school district, the authorities in charge of an accredited nonpublic school, or the governing board of a charter school has intentionally concealed, or attempted to conceal from any governmental agent, governmental officer, or potential employer a founded incident, or any conduct required to be reported pursuant to [section 256.160](#), related to an employee who holds a license, endorsement, certification, authorization, or statement of recognition issued by the board of educational examiners, any administrator of the school district, the accredited nonpublic school, or the charter school who intentionally assisted in the concealment, or attempted concealment, of an incident, or any conduct required to be reported pursuant to [section 256.160](#), shall be subject to a hearing conducted by the board of educational examiners.

j. If the department finds that the board of directors of a school district, the authorities in charge of an accredited nonpublic school, or the governing board of a charter school has intentionally concealed, or attempted to conceal from any governmental agent, governmental officer, or potential employer a founded incident related to an employee who does not hold a license, endorsement, certification, authorization, or statement of recognition issued by the board of educational examiners, any administrator of the school district, the accredited nonpublic school, or the charter school who intentionally assisted in the concealment, or attempted concealment, of an incident shall be subject to a hearing conducted by the board of educational examiners.

68. Develop and distribute to school districts a list of all professional development programs and other training programs in which employees of school districts are required to participate pursuant to federal law or state law, including [chapter 284](#).

69. Develop and distribute to school districts and charter schools model policies that, if adopted by a school district or charter school, would satisfy the school district's or charter school's responsibilities under [section 279.65A](#) relating to the discipline of a student for making a threat of violence or causing an incident of violence that results in injury or property damage or assault.

[86 Acts, ch 1245, §1409; 87 Acts, ch 115, §36; 88 Acts, ch 1114, §1; 88 Acts, ch 1158, §54; 88 Acts, ch 1263, §1; 89 Acts, ch 155, §2; 89 Acts, ch 206, §6; 90 Acts, ch 1152, §1; 90 Acts, ch 1253, §6, 122; 90 Acts, ch 1271, §1101; 91 Acts, ch 84, §2; 91 Acts, ch 126, §1; 92 Acts, ch 1158, §3; 92 Acts, ch 1159, §1, 6; 92 Acts, ch 1221, §2; 92 Acts, ch 1246, §27; 93 Acts, ch 48, §14, 15; 94 Acts, ch 1091, §4 – 12; 98 Acts, ch 1215, §23, 63; 99 Acts, ch 192, §30; 2000 Acts, ch 1081, §1; 2000 Acts, ch 1167, §2; 2001 Acts, ch 161, §14; 2001 Acts, ch 181, §12; 2002 Acts, ch 1140, §5; 2002 Acts, ch 1152, §2; 2002 Acts, 2nd Ex, ch 1003, §92, 95; 2003 Acts, ch 145, §222; 2003 Acts, ch 180, §3, 4; 2005 Acts, ch 115, §29, 40; 2005 Acts, ch 169, §18; 2005 Acts, ch 179, §91; 2006 Acts, ch 1152, §18; 2007 Acts, ch 98, §1; 2007 Acts, ch 108, §3; 2007 Acts, ch 214, §18; 2008 Acts, ch 1127, §2, 3; 2008 Acts, ch 1187, §141; 2008 Acts, ch 1191, §156; 2009 Acts, ch 54, §2; 2009 Acts, ch 65, §2, 3; 2009 Acts, ch 168, §1; 2010 Acts, ch 1001, §1; 2010 Acts,](#)

ch 1031, §269, 359, 361; 2010 Acts, ch 1193, §118; 2011 Acts, ch 132, §43, 106; 2012 Acts, ch 1119, §16, 32; 2013 Acts, ch 30, §56; 2013 Acts, ch 90, §257; 2013 Acts, ch 121, §102; 2013 Acts, ch 129, §64; 2013 Acts, ch 141, §33; 2014 Acts, ch 1077, §1; 2014 Acts, ch 1135, §8 – 11; 2015 Acts, ch 138, §15, 161, 162; 2016 Acts, ch 1036, §2; 2017 Acts, ch 172, §10; 2018 Acts, ch 1057, §4, 5; 2018 Acts, ch 1071, §1; 2018 Acts, ch 1119, §4, 17; 2018 Acts, ch 1163, §9; 2020 Acts, ch 1048, §2; 2020 Acts, ch 1093, §1, 4; 2020 Acts, ch 1107, §4; 2020 Acts, ch 1108, §1; 2020 Acts, ch 1117, §8; 2021 Acts, ch 170, §27; 2022 Acts, ch 1021, §50; 2022 Acts, ch 1032, §47; 2022 Acts, ch 1134, §3; 2023 Acts, ch 1, §2, 10; 2023 Acts, ch 19, §981 – 984, 2520, 2544, 2644; 2023 Acts, ch 95, §4; 2023 Acts, ch 96, §2

Referred to in §15H.7, 22.7(1), 256.7, 256.11, 256.32A, 256.43, 256.146, 256E.7, 256F.4, 257.50, 261E.9, 273.2, 273.10, 279.14A, 279.50, 279.66, 279.75, 280.34, 282.11, 284.3, 284.6, 284.8

*Chapter 423E repealed effective June 30, 2023, pursuant to terms of former §423E.7; corrective legislation is pending

- Unnumbered paragraph 1 amended
- Subsections 15 and 55 amended
- Subsection 31, paragraph b amended
- Subsection 36 stricken
- Subsection 46, paragraph a amended
- Subsection 50, unnumbered paragraph 1 amended
- NEW subsections 66 – 69

256.9A Limitation on guidance and interpretations.

1. For the purposes of [this section](#), “guidance” means a document or statement issued by the department, the state board, or the director that purports to interpret a law, a rule, or other legal authority and is designed to provide advice or direction to a person regarding the implementation of or compliance with the law, the rule, or the other legal authority being interpreted.

2. The department, the state board, or the director shall not issue guidance inconsistent with any statute, rule, or other legal authority and shall not issue guidance that imposes any legally binding obligations or duties upon any person unless such legally binding obligations or duties are required or reasonably implied by any statute, rule, or other legal authority.

3. [This section](#) shall not apply to a rule adopted pursuant to [chapter 17A](#), a declaratory order issued pursuant to [section 17A.9](#), a document or statement required by federal law or a court, or a document or statement issued in the course of a contested case proceeding, an administrative proceeding, or a judicial proceeding to which the department, the state board, or the director is a party.

4. Guidance issued by the department, the state board, or the director in violation of [subsection 2](#) shall not be deemed to be legally binding.

2018 Acts, ch 1112, §1, 16; 2018 Acts, ch 1119, §18, 19

256.10 Director salary — employment of professional staff.

1. The salary of the director shall be fixed by the governor.

2. Appointments to the professional staff of the department shall be without reference to political party affiliation, religious affiliation, sex, or marital status, but shall be based solely upon fitness, ability, and proper qualifications for the particular position. The professional staff shall serve at the discretion of the director. A member of the professional staff shall not be dismissed for cause without appropriate due process procedures including a hearing.

3. The director may employ full-time professional staff for less than twelve months each year, but such staff shall be employed by the director for at least nine months of each year. Salaries for full-time professional staff employed as provided in [this subsection](#) shall be comparable to other professional staff, adjusting for time worked. Salaries for professional staff employed for periods of less than twelve months shall be paid during each month of the year in which they are employed on the same schedule as full-time permanent professional staff. The director shall provide for and the department shall pay for health and dental insurance benefits for twelve months each year for the full-time professional staff employed as provided in [this subsection](#), and the health and dental insurance benefits provided shall be comparable to the benefits provided to all other professional staff employed by the director.

86 Acts, ch 1245, §1410; 97 Acts, ch 212, §21; 2002 Acts, ch 1140, §6; 2023 Acts, ch 19, §2799, 2802

Referred to in §256.9
Subsection 1 amended

256.10A Duties of consultants.

1. Consultants employed by the director and paid from the fund created by [section 8.41](#) from moneys received from Pub. L. No. 97-35, Tit. V, subtit. D, ch. 2, shall assist those employees designated by the department as school improvement specialists in helping school districts to participate in school improvement activities identified as a result of the accreditation process conducted pursuant to [section 256.11](#). The department shall assign consultants to assist school districts that the department determines are most in need of participation in school improvement activities.

2. For the purpose of [this section](#), “*school improvement specialist*” means a consultant employed by the department who is responsible for the accreditation of school districts under [section 256.11](#).

[87 Acts, ch 233, §450; 2010 Acts, ch 1061, §180](#)

256.11 Educational standards.

The state board shall adopt rules under [chapter 17A](#) and a procedure for accrediting all public and nonpublic schools in Iowa offering instruction at any or all levels from the prekindergarten level through grade twelve. The rules of the state board shall require that an age-appropriate, multicultural, and gender-fair approach is used by schools and school districts. The educational program shall be taught from an age-appropriate, multicultural, and gender-fair approach. Global perspectives shall be incorporated into all levels of the educational program. The rules adopted by the state board pursuant to [section 256.17, Code Supplement 1987](#), to establish new standards shall satisfy the requirements of [this section](#) to adopt rules to implement the educational program contained in [this section](#). The educational program shall be as follows:

1. *a.* If a school offers a prekindergarten program, the program shall be designed to help children to work and play with others, to express themselves, to learn to use and manage their bodies, and to extend their interests and understanding of the world about them. The prekindergarten program shall encourage cooperative efforts between home and school and shall focus on community resources. Except as otherwise provided in [this subsection](#), a prekindergarten teacher shall hold a license certifying that the holder is qualified to teach in prekindergarten. A nonpublic school which offers only a prekindergarten may, but is not required to, seek and obtain accreditation.

b. If the board of directors of a school district contracts for the operation of a prekindergarten program, the program shall be under the oversight of an appropriately licensed teacher. If the program contracted with was in existence on July 1, 1989, oversight of the program shall be provided by the district. If the program contracted with was not in existence on July 1, 1989, the director of the program shall be a licensed teacher and the director shall provide program oversight. Any director of a program contracted with by a school district under [this section](#) who is not a licensed teacher is required to register with the department of education.

c. For the purposes of [this subsection](#), “*prekindergarten program*” includes but is not limited to a school district’s implementation of the preschool program established pursuant to [chapter 256C](#).

2. The kindergarten program shall include experiences designed to develop healthy emotional and social habits and growth in the language arts and communication skills, as well as a capacity for the completion of individual tasks, and protect and increase physical well-being with attention given to experiences relating to the development of life skills and, subject to [section 279.80](#), age-appropriate and research-based human growth and development. A kindergarten teacher shall be licensed to teach in kindergarten. An accredited nonpublic school must meet the requirements of [this subsection](#) only if the nonpublic school offers a kindergarten program; provided, however, that [section 279.80](#) shall not apply to a nonpublic school.

3. The following areas shall be taught in grades one through six: English-language arts, social studies, mathematics, science, health, physical education, traffic safety, music, visual art, and, subject to [section 279.80](#), age-appropriate and research-based human growth and development. Computer science instruction incorporating the standards established

under [section 256.7, subsection 26](#), paragraph “a”, subparagraph (4), shall be offered in at least one grade level commencing with the school year beginning July 1, 2023. The health curriculum shall include the characteristics of communicable diseases. The state board as part of accreditation standards shall adopt curriculum definitions for implementing the elementary program.

4. The following shall be taught in grades seven and eight: English-language arts; social studies; mathematics; science; health; age-appropriate and research-based human growth and development; career exploration and development; physical education; music; and visual art. Computer science instruction incorporating the standards established under [section 256.7, subsection 26](#), paragraph “a”, subparagraph (4), shall be offered in at least one grade level commencing with the school year beginning July 1, 2023. Career exploration and development shall be designed so that students are appropriately prepared to create an individual career and academic plan pursuant to [section 279.61](#), incorporate foundational career and technical education concepts aligned with the six career and technical education service areas as defined in [subsection 5](#), paragraph “h”, incorporate relevant twenty-first century skills to facilitate career readiness, and introduce students to career opportunities within the local community and across this state. The health curriculum shall include age-appropriate and research-based information regarding the characteristics of sexually transmitted diseases. The state board as part of accreditation standards shall adopt curriculum definitions for implementing the program in grades seven and eight. However, [this subsection](#) shall not apply to the teaching of career exploration and development in nonpublic schools.

5. In grades nine through twelve, a unit of credit consists of a course or equivalent related components or partial units taught throughout the academic year. The minimum program to be offered and taught for grades nine through twelve is:

a. Five units of science including physics and chemistry; the units of physics and chemistry may be taught in alternate years.

b. Five units of the social studies including instruction in voting statutes and procedures, voter registration requirements, the use of paper ballots and voting systems in the election process, and the method of acquiring and casting an absentee ballot. All students shall complete a minimum of one-half unit of United States government and one unit of United States history. The one-half unit of United States government shall include the voting procedure as described in this lettered paragraph and [section 280.9A](#). The government instruction shall also include a study of the Constitution of the United States and the Bill of Rights contained in the Constitution and an assessment of a student’s knowledge of the Constitution and the Bill of Rights.

c. Six units of English-language arts.

d. Four units of a sequential program in mathematics.

e. Two additional units of mathematics.

f. Two sequential units of one world language, which may include American sign language.

g. (1) All students physically able shall be required to participate in a minimum of one-eighth unit of physical education activities during each semester they are enrolled in school except as otherwise provided in this paragraph. A student who meets the requirements of this paragraph shall be excused from the physical education requirement by the principal of the school in which the student is enrolled if the parent or guardian of the student requests in writing that the student be excused from the physical education requirement. A student who wishes to be excused from the physical education requirement must be seeking to be excused in order to enroll in academic courses not otherwise available to the student, or be enrolled or participating in any of the following:

(a) A work-based learning program or other educational program authorized by the school which requires the student to leave the school premises for specified periods of time during the school day.

(b) An activity that is sponsored by the school in which the student is enrolled which requires at least as much physical activity per week as one-eighth unit of physical education.

(2) The principal of the school shall inform the superintendent of the school district

or nonpublic school that the student has been excused. Physical education activities shall emphasize leisure time activities which will benefit the student outside the school environment and after graduation from high school.

(3) A student who is enrolled in a junior reserve officers' training corps shall not be required to participate in physical education activities under subparagraph (1) or to meet the physical activity requirements of [subsection 6](#), paragraph "b", subparagraph (2), but shall receive one-eighth unit of physical education credit for each semester, or the equivalent, of junior reserve officers' training corps the student completes.

h. (1) A minimum of three sequential units in at least four of the following six career and technical education service areas:

- (a) Agriculture, food, and natural resources.
- (b) Arts, communications, and information systems.
- (c) Applied sciences, technology, engineering, and manufacturing, including transportation, distribution, logistics, architecture, and construction.
- (d) Health sciences.
- (e) Human services, including law, public safety, corrections, security, government, public administration, and education and training.

(f) Business, finance, marketing, and management.

(2) Instructional programs provided under subparagraph (1) shall comply with the provisions of [subchapter VII, part 2](#), relating to career and technical education, and shall be articulated with postsecondary programs of study and include field, laboratory, or on-the-job training. Each sequential unit shall contain a portion of a career and technical education program approved by the department. Standards for instructional programs shall include but not be limited to new and emerging technologies; job-seeking, job-adaptability, and other employment, self-employment and entrepreneurial skills that reflect current industry standards and labor-market needs; and reinforcement of basic academic skills.

(3) The department of education shall permit school districts, in meeting the requirements of [this section](#), to use career and technical education core courses in more than one career and technical education service area and to use multi-occupational courses to complete a sequence in more than one career and technical education service area.

(4) This paragraph "h" does not apply to the teaching of career and technical education in nonpublic schools.

i. Two units in the fine arts which may include any of the following: dance, music, theater, or visual art.

j. (1) One unit of health education which may include personal health; food and nutrition; environmental health; safety and survival skills; consumer health; family life; age-appropriate and research-based human growth and development; substance use disorder and nonuse; emotional and social health; health resources; cardiopulmonary resuscitation; and prevention and control of disease, including age-appropriate and research-based information regarding sexually transmitted diseases.

(2) The state board as part of accreditation standards shall adopt curriculum standards for implementing the program in grades nine through twelve.

k. (1) One-half unit of personal finance literacy, which may be offered and taught through dedicated units of coursework or through units of coursework that also meet the requirements of the coursework required under paragraph "a", "b", "c", "d", "e", or "h". The personal financial literacy curriculum shall, at a minimum, address all of the following:

- (a) Savings, including emergency fund, purchases, and wealth building.
- (b) Understanding investments, including compound and simple interest, liquidity, diversification, risk return ratio, certificates of deposit, money market accounts, single stocks, bonds, mutual funds, rental real estate, annuities, commodities, and futures.
- (c) Wealth building and college planning, including long-term and short-term investing using tax-favored plans, individual retirement accounts and payments from such accounts, employer-sponsored retirement plans and investments, public and private educational savings accounts, and uniform gifts and transfers to minors.

(d) Credit and debt, including credit cards, payday lending, rent-to-own transactions, debt

consolidation, automobile leasing, cosigning a loan, debt avoidance, and the marketing of debt, especially to young people.

(e) Consumer awareness of the power of marketing on buying decisions including zero percent interest offers; marketing methods, including product positioning, advertising, brand recognition, and personal selling; how to read a credit report and correct inaccuracies; how to build a credit score; how to develop a plan to deal with creditors and avoid bankruptcy; and the federal Fair Debt Collection Practices Act, codified at 15 U.S.C. §1692 – 1692p.

(f) Financial responsibility and money management, including creating and living on a written budget and balancing a checkbook; basic rules of successful negotiating and techniques; and personality or other traits regarding money.

(g) Insurance, risk management, income, and career decisions, including career choices that fit personality styles and occupational goals, job search strategies, cover letters, resumes, interview techniques, payroll taxes and other income withholdings, and revenue sources for federal, state, and local governments.

(h) Different types of insurance coverage including renters, homeowners, automobile, health, disability, long-term care, identity theft, and life insurance; term life, cash value and whole life insurance; and insurance terms such as deductible, stop loss, elimination period, replacement coverage, liability, and out-of-pocket.

(i) Buying, selling, and renting advantages and disadvantages relating to real estate, including adjustable rate, balloon, conventional, government-backed, reverse, and seller-financed mortgages.

(2) Units of coursework that meet the requirements of any combination of coursework required under paragraph “a”, “b”, “c”, “d”, “e”, or “h” and incorporate the curriculum required under subparagraph (1) shall be deemed to satisfy the offer and teach requirements of this paragraph “k”.

l. One-half unit of computer science commencing with the school year beginning July 1, 2022. The one-half unit of computer science shall incorporate the standards established pursuant to [section 256.7, subsection 26](#), paragraph “a”, subparagraph (4), and may be offered online in accordance with rules adopted pursuant to [section 256.7, subsection 32](#), paragraph “a”.

5A. a. The board of directors of a school district or the authorities in charge of an accredited nonpublic school may authorize a teacher who is appropriately licensed by the board of educational examiners to teach two or more sequential units of one subject area in the same classroom at the same time in grades nine through twelve. The board of directors of a school district or the authorities in charge of an accredited nonpublic school shall award high school credit to a student upon the student’s successful completion of the course. The teacher must meet the minimum certification requirements of the national organization that administers the advanced placement program if one of the units being offered pursuant to this paragraph is an advanced placement course.

b. The board of directors of a school district or the authorities in charge of an accredited nonpublic school may authorize a community college-employed instructor who is providing instruction in the school pursuant to [section 261E.8](#) through a contractual agreement between a community college and the school district or accredited nonpublic school to teach two or more sequential units of one subject area in the same classroom at the same time in grades nine through twelve. The board of directors of a school district or the authorities in charge of an accredited nonpublic school shall award high school credit to a student upon the student’s successful completion of the course if the board of directors of the school district or the authorities in charge of the accredited nonpublic school approved the course pursuant to [section 261E.8, subsection 3](#). The community college-employed instructor must meet the minimum certification requirements of the national organization that administers the advanced placement program if one of the units being offered pursuant to this paragraph is an advanced placement course.

6. a. A pupil is not required to enroll in either physical education or health courses, or meet the requirements of paragraph “b” or “c”, if the pupil’s parent or guardian files a written statement with the school principal that the course or activity conflicts with the pupil’s religious belief.

b. (1) All physically able students in kindergarten through grade five shall be required to engage in a physical activity for a minimum of thirty minutes per school day.

(2) All physically able students in grades six through twelve shall be required to engage in a physical activity for a minimum of one hundred twenty minutes per week. A student participating in an organized and supervised athletic program or non-school-sponsored extracurricular activity which requires the student to participate in physical activity for a minimum of one hundred twenty minutes per week is exempt from the requirements of this subparagraph.

(3) The department shall collaborate with stakeholders on the development of daily physical activity requirements and the development of models that describe ways in which school districts and schools may incorporate the physical activity requirement of this paragraph into the educational program. A school district or accredited nonpublic school shall not reduce instructional time for academic courses in order to meet the requirements of this paragraph.

c. Every student by the end of grade twelve shall complete a certification course for cardiopulmonary resuscitation. The administrator of a school may waive this requirement if the student is not physically able to successfully complete the training. A student is exempt from the requirement of this paragraph if the student presents satisfactory evidence to the school district or accredited nonpublic school that the student possesses cardiopulmonary resuscitation certification.

7. Programs that meet the needs of each of the following:

- a. Pupils requiring special education.
- b. Gifted and talented pupils.
- c. At-risk students.

8. a. The state board shall establish a flexible student and school support program to be administered by the director. Under the program, upon request of the board of directors of a public school district or the authorities in charge of an accredited nonpublic school, the director may, for a period not to exceed three years, grant the applicable board of directors or the authority in charge of the nonpublic school the ability to use the flexible student and school support program to implement evidence-based practices in innovative ways to enhance student learning, well-being, and postsecondary success.

b. Approval to participate in the flexible student and school support program shall exempt the school district or nonpublic school from one or more of the requirements of the educational program specified in [subsection 3, 4, or 5, subsection 6](#), paragraph “b” or “c”, [subsection 7](#), paragraph “b” or “c”, or the minimum school calendar requirements in [section 279.10, subsection 1](#). An exemption shall be granted only if the director deems that the request made is an essential part of an educational program to support student learning, well-being, and postsecondary success; is necessary for the success of the program; and is broadly consistent with the intent of the requirements of the educational program specified in [subsection 3, 4, or 5, subsection 6](#), paragraph “b” or “c”, [subsection 7](#), paragraph “b” or “c”, or the minimum school calendar requirements in [section 279.10, subsection 1](#).

c. Approval to participate in the flexible student and school support program shall include authority for a school district to use funds from the school district’s flexibility account under [section 298A.2, subsection 2](#), to implement all or part of the flexible student and school support program.

d. The application for the flexible student and school support program shall include all of the following and be submitted on forms and in a format prescribed by the department:

(1) A description of the proposed educational program, including evidence used to design the program and evidence of involvement of board members, parents, students, community members, and staff in development of the program.

(2) Program goals and measures of program effectiveness and success, including student success and performance.

(3) A plan for program administration, including the use of personnel, facilities, and funding.

(4) A plan for evaluation of the proposed program on at least an annual basis, including a plan for program revisions, if necessary.

(5) The estimated financial impact of the program on the school district or nonpublic school.

e. Approval to participate in the program does not exempt the school district or nonpublic school from federal law or any other requirements of state law that are not specifically exempted by the director.

f. Each school district or nonpublic school approved to participate in the flexible student and school support program shall file an annual report with the department on the status of the program on forms and in a format prescribed by the department.

g. Participation in the flexible student and school support program may be renewed for additional periods of years, each not to exceed three years. The director may revoke approval of all or part of any application or approved education program if the annual report or any other information available to the department indicates that conditions no longer warrant use of an exemption or funding from the school district's flexibility account under [section 298A.2, subsection 2](#). Notice of revocation must be provided by the director to the school district or nonpublic school prior to the beginning of the school year for which participation is revoked.

9. a. (1) Beginning July 1, 2023, each school district shall employ either a qualified teacher librarian licensed by the board of educational examiners or a person previously employed as a librarian by a public library. The board of educational examiners shall not require an applicant for a teacher librarian license to have a master's degree.

(2) Each school district shall establish a kindergarten through grade twelve library program that is consistent with [section 280.6](#) and with the educational standards established in this section, contains only age-appropriate materials, and supports the student achievement goals of the total school curriculum.

(3) If, after investigation, the department determines that a school district or an employee of a school district has violated the provisions of subparagraph (2) related to library programs containing only age-appropriate materials, beginning January 1, 2024, the school district or employee of the school district, as applicable, shall be subject to the following:

(a) For the first violation of subparagraph (2), the department shall issue a written warning to the board of directors of the school district or the employee, as applicable.

(b) (i) For a second or subsequent violation of subparagraph (2), if the department finds that a school district knowingly violated subparagraph (2), the superintendent of the school district shall be subject to a hearing conducted by the board of educational examiners pursuant to [section 256.146, subsection 13](#), which may result in disciplinary action.

(ii) For a second or subsequent violation of subparagraph (2), if the department finds that an employee of the school district who holds a license, certificate, authorization, or statement of recognition issued by the board of educational examiners knowingly violated subparagraph (2), the employee shall be subject to a hearing conducted by the board of educational examiners pursuant to [section 256.146, subsection 13](#), which may result in disciplinary action.

b. The state board shall establish in rule standards for school district library programs, which shall be designed to provide for methods to improve library collections to meet student needs, include a current and diverse collection of fiction and nonfiction materials in a variety of formats to support student curricular needs, and include a plan for annually updating and replacing library materials and equipment.

c. The state board shall establish in rule a definition of and standards for an articulated sequential kindergarten through grade twelve media program.

d. A school district that entered into a contract with an individual for employment as a media specialist or librarian prior to June 1, 2006, shall be considered to be in compliance with [this subsection](#) until June 30, 2011, if the individual is making annual progress toward meeting the requirements for a teacher librarian endorsement issued by the board of educational examiners.

9A. Beginning July 1, 2007, each school district shall have a qualified guidance counselor who shall be licensed by the board of educational examiners under [subchapter VII, part 3](#). Each school district shall work toward the goal of having one qualified guidance counselor for every three hundred fifty students enrolled in the school district. The state board shall establish in rule a definition of and standards for an articulated sequential kindergarten

through grade twelve guidance and counseling program. The program shall be designed to ensure that the guidance counselor can work collaboratively with students, teachers, support staff, and administrators to support the curricular goals of the school by offering responsive services that address the growth and development needs of students and the attainment of student competencies in academic, career, and social areas.

9B. Beginning July 1, 2007, each school district shall have a school nurse to provide health services to its students. Each school district shall work toward the goal of having one school nurse for every seven hundred fifty students enrolled in the school district. For purposes of [this subsection](#), “school nurse” means a person who holds an endorsement or a statement of professional recognition for school nurses issued by the board of educational examiners under [subchapter VII, part 3](#).

10. The state board shall establish, and the department shall use, for the school year commencing July 1, 2021, and each succeeding school year, an accreditation, monitoring, and enforcement process for school districts and nonpublic schools seeking accreditation pursuant to [this subsection](#) and [subsections 11 and 12](#). The process established shall include all of the following requirements:

a. Phase I monitoring.

(1) Phase I monitoring shall consist of annual monitoring by the department of all accredited schools and school districts for compliance with state and federal school laws, regulations, and rules adopted by the state board under [chapter 17A](#), including but not limited to the following:

- (a) Accreditation standards adopted by the state board as provided in [this section](#).
- (b) Fiscal compliance.
- (c) Federal education laws including but not limited to the federal Elementary and Secondary Education Act of 1965, and the federal Individuals with Disabilities Education Act, 20 U.S.C. §1400 et seq., as amended.
- (d) The federal Civil Rights Act of 1964 and [chapter 216](#).
- (e) All other requirements of this title applicable to accredited schools and school districts.

(2) Phase I monitoring may include but shall not be limited to the following:

- (a) One or more desk audits requiring submission of information to the department in a manner and on forms prescribed by the department.
- (b) One or more remote or on-site visits to schools or school districts to address accreditation issues identified in a desk audit. Such a visit may be conducted by an individual departmental consultant or may be a comprehensive site visit by a team of departmental consultants and other subject-matter professionals.
- (c) A review of district finances by department staff or a neutral third party.
- (d) A review of local school board policies and procedures by department staff or a neutral third party.

(3) The department shall provide a public report annually of findings of noncompliance and required corrective actions for each accredited school and school district. The purpose of the phase I process is to bring schools and school districts into minimum compliance with federal and state laws, regulations, and rules and no citation or corrective action may be designed to require more than minimum compliance.

(4) The department shall provide a written report annually to the state board of any monitoring review resulting in multiple or substantial findings of noncompliance or noncompliance findings that remain uncorrected for more than thirty days past the deadline set by the department for correction.

(5) The department shall eliminate duplicative reporting on the part of schools and school districts for phase I monitoring, and is prohibited from collecting information not specifically permitted by federal or state law, regulation, or rule.

(6) Enforcement actions under phase I monitoring are limited to actions permitted pursuant to paragraph “c”, subparagraphs (2) and (3). Violations of federal legal requirements shall follow the procedures and limitations of the governing statute.

b. Phase II monitoring.

(1) Phase II monitoring shall take place when any of the following conditions are present:

- (a) When either the annual monitoring or the biennial on-site visit of phase I indicates

that an accredited school or school district is deficient and fails to be in compliance with accreditation standards.

(b) In response to a petition filed with the director requesting such an accreditation committee visitation that is signed by eligible electors residing in the school district equal in number to at least twenty percent of the registered voters of the school district.

(c) In response to a petition filed with the director requesting such an accreditation committee visitation that is signed by twenty percent or more of the parents or guardians who have children enrolled in the school or school district.

(d) At the direction of the state board.

(e) The school budget review committee submits to the department a recommendation for a fiscal review pursuant to [section 257.31, subsection 18](#).

(2) Phase II monitoring shall consist of a full desk audit of all monitoring requirements and an on-site visit to the school or school district for the purpose of determining the extent of noncompliance, the reason for lack of correction, if applicable, and a recommendation for corrective action to the director and the state board.

(3) Phase II monitoring requires the use of an accreditation committee appointed by the director. The accreditation committee shall be made up primarily of department staff but may request the assistance of third-party specialists at the discretion of the director. An accreditation committee visit to a nonpublic school requires membership on the committee from nonpublic school instructional or administrative staff or board members. A member of a committee shall not have a direct interest in the school district or nonpublic school being visited.

(4) After visiting the school district or nonpublic school, the accreditation committee shall, within thirty days, determine whether the accreditation standards have been met and shall make a report to the director, together with a recommendation on what enforcement actions, if any, should be recommended to the state board.

c. Enforcement.

(1) The department shall enforce the laws, regulations, and rules applicable to school districts and nonpublic schools consistent with the process outlined in [this subsection](#). The department shall coordinate its enforcement of [chapter 216](#) with the Iowa state civil rights commission to reduce duplication of efforts.

(2) If, after having an opportunity to correct, if permitted, a school district is found to be in noncompliance with federal education laws including but not limited to the federal Elementary and Secondary Education Act of 1965, the federal Individuals with Disabilities Education Act, 20 U.S.C. §1400 et seq., as amended, the federal Civil Rights Act of 1964, [chapter 216, section 279.73](#), or [section 279.74](#), the director shall recommend, and the state board may do, one of the following within thirty days of the finding of noncompliance:

(a) Impose conditions on funding provided to a school district, including directing the use of school district funds and designating the school district a high-risk grantee under [2 C.F.R. §200.207](#).

(b) Withhold payment of state or federal funds to a school district, in whole or in part, until noncompliance is corrected. Initial withholding of state funds is at the discretion of the director for a period of sixty calendar days, after which it is subject to approval of the state board every sixty calendar days. Withholding of federal funds is subject to the governing federal statute or regulation.

(3) The director may use any of the following permitted enforcement mechanisms and shall exercise discretion to ensure that enforcement actions are proportionate to school district or nonpublic school noncompliance:

(a) Advise the school district or nonpublic school on the availability of appropriate technical assistance.

(b) Require the school district or nonpublic school to complete a corrective action plan or plan for improvement by a reasonable deadline.

(c) Recommend a phase II visit to the school district or nonpublic school to the state board.

(d) Refer conduct of school district or nonpublic school staff or school board members, or school authorities, to the office of the attorney general for investigation.

(e) Refer financial concerns to the auditor of state for investigation.

- (f) Recommend removal of accreditation of the school district or school to the state board.
- (g) Take any other enforcement mechanism available to the director.
- (4) The department shall focus enforcement activities on all of the following:
 - (a) Improving educational results for children, families, and students.
 - (b) Ensuring that public agencies and their governing boards meet requirements of state and federal laws.

11. a. If the recommendation pursuant to [subsection 10](#) is that a school district or nonpublic school not remain accredited, the accreditation committee shall provide the school district or nonpublic school with a report that includes a list of all of the deficiencies, a plan prescribing the actions that must be taken to correct the deficiencies, and a deadline date for completion of the prescribed actions. The accreditation committee shall advise the school district or nonpublic school of available resources and technical assistance to improve areas of weakness. The school district or nonpublic school shall be provided with the opportunity to respond to the accreditation committee's report. The director shall review the accreditation committee's report and the response of the school district or nonpublic school and shall provide a report to the state board along with copies of the accreditation committee's report, the response to the accreditation committee's report, and other pertinent information. At the request of the school district or nonpublic school, the school district or nonpublic school may appear before the state board and address the state board directly regarding any part of the plan specified in the report. The state board may modify the plan. During the period of time specified in the plan for its implementation by a school district or nonpublic school, the school district or school shall remain accredited.

b. The accreditation committee shall revisit the school district or nonpublic school and shall determine whether the deficiencies in the standards have been corrected.

c. The accreditation team shall make a report and recommendation to the director and the state board. The committee recommendation shall specify whether the school district or nonpublic school shall remain accredited. For a school district, the committee report and recommendation shall also specify under what conditions the district may remain accredited. The conditions may include but are not limited to providing temporary oversight authority, operational authority, or both oversight and operational authority to the director and the state board for some or all aspects of the school district in order to bring the school district into compliance with minimum standards.

d. The state board shall review the report and recommendation, may request additional information, and shall determine whether the deficiencies have been corrected.

e. If the deficiencies have not been corrected, and the conditional accreditation alternatives contained in the report are not mutually acceptable to the state board and the local board, the state board shall deaccredit the school district and merge the territory of the school district with one or more contiguous school districts at the end of the school year. The state board may place a district under receivership for the remainder of the school year. The receivership shall be under the direct supervision and authority of the area education agency in which the district is located. The decision of whether to deaccredit the school district or to place the district under receivership shall be based upon a determination by the state board of the best interests of the students, parents, residents of the community, teachers, administrators, and school district board members and upon the recommendations of the accreditation committee and the director.

f. In the case of a nonpublic school, if the deficiencies have not been corrected, the state board may deaccredit the nonpublic school. The deaccreditation shall take effect on the date established by the resolution of the state board, which shall be no later than the end of the school year in which the nonpublic school is deaccredited.

12. If the state board deaccredits a school district and merges the territory of the school district with one or more contiguous school districts, the deaccredited school district ceases to exist as a school corporation on the effective date set by the state board for deaccreditation. Notwithstanding any other provision of law, the contiguous school districts receiving territory of the deaccredited school district are not considered successor school corporations of the deaccredited school district.

a. Division of assets and liabilities of the deaccredited school district shall be as provided in this paragraph “a” and in [sections 275.29 through 275.31](#).

(1) If one or more of the contiguous school districts receiving assets and liabilities of the deaccredited school district utilizes the equalization levy, only that territory in the school district imposing the equalization levy that comprises territory of the deaccredited school district shall be taxed.

(2) Income surtax revenue and revenues generated by property taxes shall be distributed proportionately based on taxable value of the territory received by one or more school districts contiguous to the deaccredited school district.

(3) Revenues that are based on student enrollment shall be distributed based on percentages of students who were enrolled in the deaccredited school district in the school year immediately prior to deaccreditation and who now reside in territory received by one or more school districts contiguous to the deaccredited school district.

(4) If the deaccredited school district has a negative fund balance in its general fund at the time it is deaccredited by the state board, the director may order that the positive balance from one or more other funds of the deaccredited school district be transferred to the deaccredited school district’s general fund.

b. Prior to the effective date set by the state board for deaccreditation, the school district shall remain responsible for, and may retain such authority as is necessary to complete, all of the following:

(1) Execution of one or more quitclaim deeds, in fulfillment of the merger of territory received by one or more contiguous school districts from the deaccredited school district.

(2) Preparation of and payment for a final audit of all the district’s financial accounts.

(3) Preparation and certification of a final certified annual report to the department.

c. The provisions of [section 275.57](#) apply when deaccreditation of a school district and merger of the territory of such school district with a contiguous school district that is currently divided into director districts leads to the formation of new director districts.

13. Notwithstanding [subsections 1 through 12](#) and as an exception to their requirements, a private high school or private combined junior-senior high school operated for the express purpose of teaching a program designed to qualify its graduates for matriculation at accredited four-year or equivalent liberal arts, scientific, or technological colleges or universities shall be placed on a special accredited list of college preparatory schools, which list shall signify accreditation of the school for that express purpose only, if:

a. The school complies with minimum standards established by the Code other than [this section](#), and rules adopted under the Code, applicable to:

(1) Courses comprising the limited program.

(2) Health requirements for personnel.

(3) Plant facilities.

(4) Other environmental factors affecting the programs.

b. At least eighty percent of those graduating from the school within the four most recent calendar years, other than those graduating who are aliens, graduates entering military or alternative civilian service, or graduates deceased or incapacitated before college acceptance, have been accepted by accredited four-year or equivalent liberal arts, scientific, or technological colleges or universities.

c. A school claiming to be a private college preparatory school which fails to comply with the requirement of paragraph “b” of [this subsection](#) shall be placed on the special accredited list of college preparatory schools probationally if the school complies with the requirements of paragraph “a” of [this subsection](#), but a probational accreditation shall not continue for more than four successive years.

14. Notwithstanding [subsections 1 through 13](#) and as an exception to their requirements, a nonpublic grade school which is reopening is accredited even if it does not have a complete grade one through grade six program. However, the nonpublic grade school must comply with other minimum standards established by law and administrative rules adopted pursuant to the law, and the nonpublic grade school must show progress toward reaching a grade one through grade six program.

15. The board of directors of a school district or the authorities in charge of a nonpublic

school may award credit toward graduation to a student if the student successfully completes basic training for service as a member of the Iowa army national guard, the Iowa air national guard, the active military forces of the United States, the army national guard of the United States, or the air national guard of the United States.

16. a. Notwithstanding [subsections 1 through 12](#), a nonpublic school may be accredited by an approved independent accrediting agency instead of by the state board as provided in [this subsection](#). The state board shall maintain a list of approved independent accrediting agencies comprised of at least six regional or national nonprofit, nongovernmental agencies recognized as reliable authorities concerning the quality of education offered by a school and shall publish the list of independent accrediting agencies on the department's internet site. The list shall include accrediting agencies that, as of January 1, 2013, accredited a nonpublic school in this state that was concurrently accredited under [this section](#); and any agency that has a formalized partnership agreement with another agency on the list and has member schools in this state as of January 1, 2013.

b. A nonpublic school that participates in the accreditation process offered by an independent accrediting agency on the approved list published pursuant to paragraph "a" shall be deemed to meet the education standards of [this section](#). However, such a school shall comply with statutory health and safety requirements for school facilities.

c. If the state board takes preliminary action to remove an agency from the approved list published on the department's internet site pursuant to paragraph "a", the department shall, at least one year prior to removing the agency from the approved list, notify the nonpublic schools participating in the accreditation process offered by the agency of the state board's intent to remove the accrediting agency from its approved list of independent accrediting agencies. The notice shall also be posted on the department's internet site and shall contain the proposed date of removal. The nonpublic school shall attain accreditation under [this subsection](#) or [subsections 1 through 12](#) not later than one year following the date on which the state board removes the agency from its list of independent accrediting agencies.

17. a. (1) The offer and teach requirements of [subsection 5](#), paragraphs "a" through "e" and "g" through "j", shall not apply for up to two specified subjects at a school district or accredited nonpublic school if any of the following apply:

(a) The school district or accredited nonpublic school makes every reasonable and good faith effort to employ a teacher licensed under [subchapter VII, part 3](#), for the specified subject and is unable to employ such a teacher.

(b) Fewer than ten students typically register for instruction in the specified subject at the school district or accredited nonpublic school.

(2) If a school district or accredited nonpublic school meets the requirements of subparagraph (1), subparagraph division (a) or (b), the school district or accredited nonpublic school may exceed the two-subject limitation specified in subparagraph (1), unnumbered paragraph 1, for the purpose of providing world language, personal finance literacy, and computer science coursework online in accordance with paragraph "c".

b. The department may waive the applicability of [subsection 5](#), paragraphs "a" through "e" and "g" through "j", for up to two additional specified subject areas for a school district or accredited nonpublic school that proves to the satisfaction of the department that the school district or accredited nonpublic school has made every reasonable effort, but is unable to meet such requirements. A school district or accredited nonpublic school may apply for an annual waiver each year.

c. If the provisions of [subsection 5](#), paragraphs "a" through "e" and "g" through "j", are made inapplicable under paragraph "a", or are waived under paragraph "b", the specified subject shall be provided by an area education agency under [section 273.16](#), or by the school district or accredited nonpublic school if an online alternative satisfying the requirements of subparagraph (1), (2), or (3) can be made available by the school district or accredited nonpublic school. Any course not required under [subsection 5](#) may also be provided by an area education agency under [section 273.16](#) or by the school district or accredited nonpublic school. However, in either case, if offered by the school district or accredited nonpublic school, the specified subject or course shall be offered through any of the following means:

(1) An online learning platform if the course is developed by the school district or

accredited nonpublic school itself or is developed by a partnership or consortium of schools that have developed the course individually or cooperatively, provided the course is taught and supervised by a teacher licensed under [subchapter VII, part 3](#), who has online learning experience and the course content meets the requirements established by rule pursuant to [section 256.7, subsection 32](#), paragraph “c”. A partnership or consortium of schools may include two or more school districts or accredited nonpublic schools, or any combination thereof.

(2) A private provider utilized to provide the course that meets the standards of [this section](#) and is approved in accordance with [section 256.9, subsection 55](#).

(3) An online learning platform offered, subject to the initial availability of federal funds, by the department in collaboration with one or more area education agencies or in partnership with school districts and accredited nonpublic schools. The online learning platform may deliver distance education to students, including students receiving competent private instruction under [chapter 299A](#), provided such students register with the school district of residence and the coursework offered by the online learning platform is taught and supervised by a teacher licensed under [subchapter VII, part 3](#), who has online learning experience and the course content meets the requirements established by rule pursuant to [section 256.7, subsection 32](#), paragraph “c”. The department and the area education agencies operating online learning programs pursuant to [section 273.16](#) shall coordinate to ensure the most effective use of resources and delivery of services. Federal funds, if available, may be used to offset what would otherwise be costs to school districts for participation in the program.

d. For purposes of [this subsection](#), “good faith effort” means the same as defined in [section 279.19A, subsection 9](#).

18. The board of directors of a school district and the authorities in charge of an accredited nonpublic school shall each establish a policy to award credit toward graduation to a student if the student participates in the legislative page program at the state capitol for a regular session of the general assembly. The student shall be excused from the physical education requirements of [subsection 5](#), paragraph “g”, subparagraph (1), and is exempt from the physical activity requirements of [subsection 6](#), paragraph “b”, subparagraph (2), while participating in the legislative page program. The student must complete the graduation requirements of [section 256.7, subsection 26](#), paragraph “a”, but participation in the legislative page program for a complete regular session of the general assembly shall count as one-half unit of social studies credit required for purposes of [section 256.7, subsection 26](#), paragraph “a”.

19. For purposes of [this section](#):

a. (1) “Age-appropriate” means topics, messages, and teaching methods suitable to particular ages or age groups of children and adolescents, based on developing cognitive, emotional, and behavioral capacity typical for the age or age group. “Age-appropriate” does not include any material with descriptions or visual depictions of a sex act as defined in [section 702.17](#).

(2) Notwithstanding subparagraph (1), for purposes of the human growth and development curriculum, “age-appropriate” means the same as defined in [section 279.50](#).

b. “Research-based” means the same as defined in [section 279.50](#).

86 Acts, ch 1245, §1411; 87 Acts, ch 224, §26; 87 Acts, ch 233, §451; 88 Acts, ch 1018, §1, 2; 88 Acts, ch 1262, §1, 2; 89 Acts, ch 210, §4, 5; 89 Acts, ch 265, §23 – 26; 89 Acts, ch 278, §1, 2; 89 Acts, ch 319, §39, 40; 90 Acts, ch 1272, §32, 39, 40; 91 Acts, ch 104, §1; 91 Acts, ch 193, §1; 92 Acts, ch 1088, §1; 92 Acts, ch 1127, §1, 2; 92 Acts, ch 1159, §2; 92 Acts, ch 1163, §58; 93 Acts, ch 127, §1, 2; 94 Acts, ch 1091, §13; 94 Acts, ch 1152, §1; 2001 Acts, ch 56, §11; 2001 Acts, ch 159, §1 – 3; 2002 Acts, ch 1140, §7; 2004 Acts, ch 1027, §1; 2005 Acts, ch 3, §55; 2006 Acts, ch 1182, §2; 2007 Acts, ch 42, §1; 2007 Acts, ch 98, §2, 3; 2007 Acts, ch 108, §4; 2007 Acts, ch 148, §7; 2008 Acts, ch 1031, §42; 2008 Acts, ch 1187, §142, 145; 2009 Acts, ch 50, §1, 2; 2009 Acts, ch 57, §74; 2010 Acts, ch 1061, §180; 2010 Acts, ch 1064, §1, 2; 2013 Acts, ch 121, §89; 2016 Acts, ch 1108, §26 – 28; 2016 Acts, ch 1138, §15, 24; 2017 Acts, ch 29, §58; 2018 Acts, ch 1083, §2; 2018 Acts, ch 1119, §20, 21; 2018 Acts, ch 1163, §10; 2019 Acts, ch 93, §1; 2020 Acts, ch 1062, §37; 2020 Acts, ch 1107, §5; 2020 Acts, ch 1117, §9, 10; 2021 Acts, ch

88, §1; 2021 Acts, ch 105, §1; 2021 Acts, ch 134, §1; 2021 Acts, ch 139, §1; 2021 Acts, ch 170, §28; 2023 Acts, ch 19, §985, 2524, 2545 – 2547; 2023 Acts, ch 90, §11, 14, 16 – 20; 2023 Acts, ch 91, §1 – 4; 2023 Acts, ch 119, §25

Referred to in §161A.7, 237.1, 237A.1, 256.7, 256.9, 256.10A, 256.11B, 256.125, 256.129, 256.130, 256.133, 256.136, 256.137, 256E.7, 257.11, 257.31, 261E.8, 261E.9, 261I.1, 273.2, 279.50, 279.50A, 279.61, 280.2, 280.3, 280A.1, 282.18, 282.34, 285.16, 298A.2, 299.2, 299.24, 422.7(22)(c), 422.11S, 422.12, 455E.8, 483A.27, 514C.35, 714.19

Career and technical agriculture education; §280.20

See Code editor's note at the beginning of this Code volume

Unnumbered paragraph 1 amended

Subsection 1, paragraph a amended

Subsections 2, 3, 4, 9, 9A, and 9B amended

Subsection 5, paragraphs f, g, i, and k amended

Subsection 5, paragraph h, subparagraph (2) amended

Subsection 5, paragraph j, subparagraph (1) amended

NEW subsections 5A and 19

Subsection 17, paragraph a, subparagraph (1), subparagraph division (a) amended

Subsection 17, paragraph c, subparagraphs (1) and (3) amended

256.11A Teacher librarian — guidance counselor — school nurse — waivers. Repealed by 2013 Acts, ch 90, §216.

256.11B Career and technical education instruction — nonpublic schools.

A nonpublic school that provides an educational program that includes grades nine through twelve shall offer and teach five units of career and technical education subjects, which may include, but are not limited to, programs, services, and activities which prepare students for employment in occupations relating to service areas specified in [section 256.11, subsection 5, paragraph “h”](#). Instruction shall be competency-based, articulated with postsecondary programs of study, and may include field, laboratory, or on-the-job training.

[§2 Acts, ch 1127, §3; 2016 Acts, ch 1108, §29](#)

Referred to in [§261E.8](#)

256.12 Sharing instructors and services.

1. The director, when necessary to realize the purposes of [this chapter](#), shall approve the enrollment in public schools for specified courses of students who also are enrolled in private schools, when the courses in which they seek enrollment are not available to them in their private schools, provided the students have satisfactorily completed prerequisite courses, if any, or have otherwise shown equivalent competence through testing. Courses made available to students in this manner shall be considered as compliance by the private schools in which the students are enrolled with any standards or laws requiring private schools to offer or teach the courses.

2. *a.* [This section](#) does not deprive the respective boards of public school districts of any of their legal powers, statutory or otherwise, and in accepting the specially enrolled students, each of the boards shall prescribe the terms of the special enrollment, including but not limited to scheduling of courses and the length of class periods. In addition, the board of the affected public school district shall be given notice by the department of its decision to permit the special enrollment not later than six months prior to the opening of the affected public school district's school year, except that the board of the public school district may waive the notice requirement. School districts and area education agency boards shall make public school services, which shall include special education programs and services and may include health services, services for remedial education programs, guidance services, and school testing services, available to children attending nonpublic schools in the same manner and to the same extent that they are provided to public school students. Service activities shall be similar to those undertaken for public school students. Health services, special education support, and related services provided by area education agencies for the purpose of identifying children with disabilities, assistance with physical and communications needs of students with physical disabilities, and services of an educational interpreter may be provided on nonpublic school premises with the permission of the lawful custodian of the property. Other special education services may be provided on nonpublic school premises at the discretion of the school district or area education agency provider of the service and with the permission of the lawful custodian of the property.

b. Students enrolled in nonpublic schools who receive services pursuant to [this subsection](#) shall be weighted at the level provided for in [section 256B.9, subsection 1](#).

c. A local school district providing services pursuant to [this subsection](#) shall submit an accounting to the department of education by August 1 following the school year for the actual costs of the special education programs and services provided. The department shall review and approve or modify the accounting by September 1 and shall notify the department of administrative services of the approved accounting amount. The department of administrative services shall adjust the September payment to the local school district for the next fiscal year by the difference between the amount generated by the weighting for the provision of services to nonpublic school students, as provided in [this subsection](#), and the amount of the actual costs as reflected in the local school district's accounting. Any amount paid by the department of administrative services shall be deducted monthly from the state foundation aid paid under [section 257.16](#) during that fiscal year to all school districts in the state. The portion of the total amount of the approved accounting amount that shall be deducted from the state aid of a school district shall be the same as the ratio that the budget enrollment for the budget year of the school district bears to the total budget enrollment in the state for that budget year.

[86 Acts, ch 1245, §1412; 93 Acts, ch 101, §101; 94 Acts, ch 1161, §1; 98 Acts, ch 1096, §1; 2003 Acts, ch 145, §286; 2006 Acts, ch 1152, §19; 2010 Acts, ch 1061, §180](#)

Referred to in [§256B.9, 257.6, 273.2](#)

256.13 Nonresident pupils.

The boards of directors of two or more school districts may by agreement provide for attendance of pupils residing in one district in the schools of another district for the purpose of taking courses not offered in the district of their residence. The boards may also provide by agreement that the districts will combine their enrollments for one or more grades. Courses and grades made available to students in this manner shall be considered as complying with any standards or laws requiring the offering of such courses and grades. The boards of directors of districts entering into such agreements may provide for sharing the costs and expenses of the courses. If the agreement provides for whole grade sharing, the costs and expenses shall be paid as provided in [sections 282.10 through 282.12](#).

[86 Acts, ch 1245, §1413; 87 Acts, ch 224, §27](#)

Referred to in [§275.1, 275.2, 282.10](#)

256.14 Permanent revolving fund.

1. A permanent revolving fund is established for the department. Expenses incurred by the department from this fund shall be paid subject to reimbursement by the federal government.

2. There is appropriated from the general fund of the state to the department of education the sum of one hundred twenty-five thousand dollars for the purpose of establishing the fund created by [subsection 1](#). If any surplus accrues to the revolving fund in excess of the original appropriation for which there is no anticipated need or use, the governor shall order the surplus to be transferred to the general fund.

[86 Acts, ch 1244, §32; 86 Acts, ch 1245, §1414](#)

256.15 Nonpublic school advisory committee.

1. A nonpublic school advisory committee is established which consists of five members, to be appointed by the governor, each of them to be a citizen of the United States and a resident of the state of Iowa. The term of the members is four years. The duties of the committee are to advise the state board and the director on matters affecting nonpublic schools, including but not limited to the establishment of standards for teacher certification and the establishment of standards for, and approval of, all nonpublic schools. Notice of meetings of the state board shall be sent by the director to members of the committee.

2. Committee members shall be reimbursed for actual and necessary expenses incurred in performance of their duties. Members may also be eligible to receive compensation as

provided in [section 7E.6](#). The expense money shall be paid from the appropriations to the department of education.

[86 Acts, ch 1245, §1415](#)

256.16 Specific criteria for teacher preparation and certain educators.

1. Pursuant to [section 256.7, subsection 5](#), the state board shall adopt rules requiring all higher education institutions providing practitioner preparation to do the following:

a. Include preparation in reading theory, knowledge, strategies, and approaches; and for integrating literacy instruction into content areas. Such preparation shall address all students, including but not limited to students with disabilities; students who are at risk of academic failure; students who have been identified as gifted and talented or English learners; and students with dyslexia, whether or not such students have been identified as children requiring special education under [chapter 256B](#).

b. Include in the professional education program, preparation that contributes to the education of students with disabilities and students who are gifted and talented, preparation in developing and implementing individualized education programs and behavioral intervention plans, preparation for educating individuals in the least restrictive environment and identifying that environment, strategies that address difficult and violent student behavior and improve academic engagement and achievement, and preparation in classroom management addressing high-risk behaviors including but not limited to behaviors related to substance use disorder. Preparation required under this paragraph must be successfully completed before graduation from the practitioner preparation program.

c. Require that each student admitted to an approved practitioner preparation program participate in pre-student teaching field experiences that include both observation and participation in teaching activities in a variety of school settings. Pre-student teaching field experiences for students participating in an initial teacher preparation program shall comprise a total of at least eighty hours in duration, at least ten hours of which shall occur prior to a student's acceptance in an approved practitioner preparation program. Pre-student teaching field experiences for students participating in a teacher intern preparation program shall comprise a total of at least fifty hours in duration. The student teaching experience shall be a minimum of fourteen weeks in duration during the student's final year of the practitioner preparation program. The program shall make every reasonable effort to offer the student teaching experience prior to a student's last semester, or equivalent, in the program, and to expand the student's student teaching opportunities beyond one semester or the equivalent.

d. Require that faculty members in professional education maintain an ongoing involvement in activities in elementary, middle, or secondary schools. The activities shall include at least forty hours of team teaching during a period not exceeding five years in duration at the elementary, middle, or secondary level.

e. Include instruction in skills and strategies to be used in classroom management of individuals, and of small and large groups, under varying conditions; skills for communicating and working constructively with pupils, teachers, administrators, and parents; preparation in reading theory, knowledge, strategies, and approaches, and for integrating literacy instruction into content areas in accordance with [this section](#); and skills for understanding the role of the state board and the functions of other education agencies in the state. Rules adopted in accordance with this paragraph shall be based upon recommendations of the department after consultation with teacher education faculty members in colleges and universities.

f. Prescribe minimum experiences and responsibilities to be accomplished during the student teaching experience by the student teacher and by the cooperating teacher based upon recommendations of the department after consultation with teacher education faculty members in colleges and universities. The student teaching experience shall include opportunities for the student teacher to become knowledgeable about the Iowa teaching standards, including but not limited to a mock evaluation performed by the cooperating teacher. The mock evaluation shall not be used as an assessment tool by the practitioner preparation program. The student teaching experience shall consist of interactive experiences involving the college or university personnel, the student teacher,

the cooperating teacher, and administrative personnel from the cooperating teacher's school district.

g. Offer annually a workshop of at least one day in duration for prospective cooperating teachers. The workshop shall define the objectives of the student teaching experience, review the responsibilities of the cooperating teacher, and provide the cooperating teacher with other information and assistance the institution deems necessary.

h. Provide practitioner preparation students with instruction in the use of electronic technology for classroom and instructional purposes.

i. Annually solicit the views of the education community regarding the institution's practitioner preparation programs.

j. Submit evidence that the college or department of education in the institution is communicating with other colleges or departments in the institution so that practitioner preparation students may integrate teaching methodology with subject matter areas of specialization.

k. Submit evidence that the performance evaluation of a student teacher is a cooperative process that involves both the faculty member supervising the student teacher and the cooperating teacher. The rules shall require that each institution develop a written evaluation procedure for use by the cooperating teacher and a form for evaluating student teachers, and require that a copy of the completed form be included in the student teacher's permanent record.

l. If the rules adopted by the board of educational examiners for issuance of any type or class of license require an applicant to complete work in student teaching, pre-student teaching experiences, field experiences, practicums, clinicals, or internships, enter into a written contract with any school district, accredited nonpublic school, preschool registered or licensed by the department of health and human services, or area education agency in Iowa, to provide for such work under terms and conditions as agreed upon by the contracting parties. The terms and conditions of a written contract entered into with a preschool pursuant to this paragraph shall require that a student teacher be under the direct supervision of an appropriately licensed cooperating teacher who is employed to teach at the preschool. Students actually teaching or engaged in preservice licensure activities in a school district under the terms of such a contract are entitled to the same protection under [section 670.8](#) as is afforded by that section to officers and employees of the school district, during the time such students are so assigned.

2. A person initially applying for a license shall successfully complete a practitioner preparation program approved under [section 256.7, subsection 3](#), and containing the subject matter specified in [this section](#), before the initial action by the board of educational examiners under [subchapter VII, part 3](#), takes place.

86 Acts, ch 1245, §1416; 89 Acts, ch 265, §27; 96 Acts, ch 1129, §67; 99 Acts, ch 191, §1; 2012 Acts, ch 1119, §39; 2016 Acts, ch 1078, §1; 2018 Acts, ch 1057, §6; 2019 Acts, ch 30, §2-4; 2020 Acts, ch 1085, §1; 2020 Acts, ch 1108, §2, 16; 2021 Acts, ch 76, §149; 2022 Acts, ch 1011, §2; 2022 Acts, ch 1103, §2-5, 9, 10; 2023 Acts, ch 19, §986, 2548

2022 amendments to subsections 1, 2, and 3, by 2022 Acts, ch 1103, §2-5, apply to students who attended or are attending practitioner preparation programs before, on, or after June 13, 2022; 2022 Acts, ch 1103, §10

Subsection 1, paragraphs b and l amended

Subsection 2 amended

256.17 Postsecondary course audit committee.

1. The department shall establish and facilitate a postsecondary course audit committee which shall annually audit postsecondary courses offered to high school students in accordance with [chapter 261E](#).

2. The committee shall include but not be limited to representatives from the kindergarten through grade twelve education community, community colleges, and regents universities.

3. The committee shall establish a sampling technique that randomly selects courses for audit. The audit shall include but not be limited to a review of the course syllabus, teacher qualifications, examples of student products, and results of student assessments. Standards for review shall be established by the committee and approved by the department. Audit

findings shall be submitted to the institutions providing the classes audited and shall be posted on the department's internet site.

4. If the committee determines that a postsecondary course offered to high school students in accordance with [chapter 261E](#) does not meet the standards established by the committee pursuant to [subsection 3](#), the course shall not be eligible for future supplementary weighting under [section 257.11](#). If the institution makes changes to the course sufficient to cause the course to meet the standards of the committee, the committee may reinstate the eligibility of the course for future supplementary weighting under [section 257.11](#).

[2008 Acts, ch 1181, §44](#)

256.18 Character education policy.

1. *a.* It is the policy of the general assembly that Iowa's schools be the best and safest possible. To that end, each school is encouraged to instill the highest character and academic excellence in each student, in close cooperation with the student's parents, and with input from the community and educators.

b. Schools should make every effort, formally and informally, to stress character qualities that will maintain a safe and orderly learning environment, and that will ultimately equip students to be model citizens. These qualities may include caring, civic virtue and citizenship, justice and fairness, respect, responsibility, trustworthiness, giving, honesty, self-discipline, respect for and obedience to the law, citizenship, courage, initiative, commitment, perseverance, kindness, compassion, service, loyalty, patience, the dignity and necessity of hard work, and any other qualities deemed appropriate by a school.

2. The department of education shall assist schools in accessing financial and curricular resources to implement programs stressing these character qualities. Schools are encouraged to use their existing resources to implement programs stressing these qualities. Whenever possible, the department shall develop partnerships with schools, nonprofit organizations, or an institution of higher education, or with a consortium of two or more of those entities, to design and implement character education programs that may be integrated into classroom instruction and may be carried out with other educational reforms.

[94 Acts, ch 1131, §1](#); [2002 Acts, ch 1083, §1](#); [2003 Acts, ch 180, §6](#); [2009 Acts, ch 54, §3](#)

256.18A Service learning.

The board of directors of a school district or the authorities in charge of a nonpublic school may require a certain number of service learning units as a condition for the inclusion of a service learning endorsement on a student's diploma or as a condition of graduation from the district or school. For purposes of [this section](#), "service learning" means a method of teaching and learning which engages students in solving problems and addressing issues in their school or greater community as part of the academic curriculum.

[2003 Acts, ch 27, §1](#); [2013 Acts, ch 30, §57](#)

256.19 Pilot projects to improve instructional programs. Repealed by 2016 Acts, ch 1036, §15.

256.20 and 256.21 Repealed by 2013 Acts, ch 88, §37.

256.22 Extended year school grant program. Repealed by 2013 Acts, ch 88, §37; 2013 Acts, ch 90, §216.

256.23 Administrative advancement and recruitment program. Repealed by 2013 Acts, ch 88, §37.

256.24 Competency-based education grant program. Repealed by its own terms; 2013 Acts, ch 121, §76.

256.25 Therapeutic classroom incentive grant program — fund.

1. The department shall create a therapeutic classroom incentive grant program to provide competitive grants to school districts for the establishment of therapeutic classrooms.

2. A school district, which may collaborate and partner with one or more school districts, area education agencies, accredited nonpublic schools, nonprofit agencies, and institutions that provide children's mental health services, located in mental health and disability services regions providing children's behavioral health services in accordance with [chapter 225C, subchapter VII](#), may apply for a grant under this program to establish a therapeutic classroom in the school district in accordance with [this section](#).

3. The department shall develop a grant application and selection and evaluation criteria. Selection criteria shall include a method for prioritizing grant applications submitted by school districts. First priority shall be given to applications submitted by school districts that submitted an application pursuant to [this section](#) for the previous fiscal year. Second priority shall be given to applications submitted by school districts that, pursuant to [subsection 2](#), are collaborating and partnering with one or more school districts, area education agencies, accredited nonpublic schools, nonprofit agencies, or institutions that provide mental health services for children. Third priority shall be given to applications submitted by school districts located in mental health and disability services regions providing behavioral health services for children in accordance with [chapter 225C, subchapter VII](#). Grant awards shall be distributed as equitably as possible among small, medium, and large school districts. For purposes of [this subsection](#), a small school district is a district with an actual enrollment of fewer than six hundred pupils; a medium school district is a district with an actual enrollment that is at least six hundred pupils, but less than two thousand five hundred pupils; and a large school district is a district with an actual enrollment of two thousand five hundred or more pupils.

4. *a.* The department may disburse moneys contained in the therapeutic classroom incentive fund as grants to school districts for the establishment of therapeutic classrooms.

b. The total amount of funding awarded for the establishment of therapeutic classrooms for a fiscal year shall not exceed an amount equivalent to the state cost per pupil multiplied by weighting of one and one-half pupil calculated for one hundred fifty pupils.

c. Grant awards shall be made for the establishment of therapeutic classrooms with one to five pupils, classrooms with six to ten pupils, and classrooms with eleven to fifteen pupils.

d. For purposes of calculating a therapeutic classroom grant award, the department shall determine grant awards based on the following:

(1) For classrooms with one to five pupils, using the state cost per pupil multiplied by weighting of one and one-half pupil multiplied by five.

(2) For classrooms with six to ten pupils, using the state cost per pupil multiplied by weighting of one and one-half pupil multiplied by ten.

(3) For classrooms with eleven to fifteen pupils, using the state cost per pupil multiplied by weighting of one and one-half pupil multiplied by fifteen.

e. Grant moneys credited to the therapeutic classroom incentive fund established under [subsection 5](#) shall be distributed after December 31 but before the start of the school calendar for start-up costs for a new therapeutic classroom in the fall semester.

5. A therapeutic classroom incentive fund is established in the state treasury under the control of the department. Moneys credited to the fund are appropriated to the department for purposes of distributing grants under [this section](#). The department may accept gifts, grants, bequests, and other private contributions, as well as state or federal moneys, for deposit in the fund. Moneys available in the therapeutic classroom incentive fund for a fiscal year shall be distributed as grants pursuant to [this section](#). Notwithstanding [section 8.33](#), moneys in the fund at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated for subsequent fiscal years.

6. Placement of a child requiring special education under [chapter 256B](#) in a therapeutic classroom, whether or not the school district operating such classroom receives funds under [this section](#), is subject to the provisions of [chapter 256B](#), to the administrative rules adopted by the state board for purposes of [chapter 256B](#), and to the federal Individuals with Disabilities Education Act, 20 U.S.C. §1400 et seq., and shall not violate such laws, rules, or regulations.

7. For purposes of [this section](#), “*therapeutic classroom*” means a classroom designed for the purpose of providing support for any student whose emotional, social, or behavioral needs interfere with the student’s ability to be successful in the current educational environment, with or without supports, until the student is able to successfully return to the student’s current education environment, with or without supports, including but not limited to the general education classroom.

[2020 Acts, ch 1108, §3, 17; 2022 Acts, ch 1149, §18, 19; 2023 Acts, ch 140, §14](#)

Referred to in [§256.25A](#)

2022 amendment to [subsection 3](#) applies to grant applications submitted on or after July 1, 2022; 2022 Acts, ch 1149, §19 Subsections 2 and 3 amended

256.25A Therapeutic classroom — claims.

1. A school district may submit claims to the department for the costs of providing therapeutic classroom services and transportation services in accordance with [this section](#).

a. (1) If the general assembly appropriates moneys for purposes of transportation claims reimbursement in accordance with this paragraph “a”, a school district may submit a claim for reimbursement for transportation services for students who are enrolled in the school district or in an accredited nonpublic school located within the boundaries of the school district, who have not been assigned a weighting under [section 256B.9](#), but who are assigned to a therapeutic classroom that is located more than thirty miles from the school designated for attendance or accredited nonpublic school and is operated by another school district or accredited nonpublic school under an agreement between the school districts or between a school district and an accredited nonpublic school.

(2) Claims for transportation reimbursement shall be made to the department by the school district providing transportation during a school year pursuant to subparagraph (1). Claims submitted under this paragraph “a” shall be on a form prescribed by the department, and the claim shall include the number of eligible pupils transported, the number of days each pupil was transported, and a listing of the actual costs incurred. On or before December 1, 2023, the director of the department shall review the data collected through the claims process and shall prepare and submit to the general assembly a report containing an analysis of the efficacy of claims reimbursement in accordance with [this section](#) and recommendations for changes as appropriate.

b. (1) For each fiscal year beginning on or after July 1, 2022, there is appropriated from the general fund of the state to the department an amount necessary to pay all approved claims submitted under this paragraph “b”.

(2) A school district that provides a therapeutic classroom to students enrolled in a school district or an accredited nonpublic school may submit claims to the department for students assigned to such a classroom during the preceding school budget year who are not assigned a weighting under [section 256B.9](#), [subsection 1](#), paragraph “b”, “c”, or “d”, and for whom behavioral intervention plans have been implemented.

(3) The amount of the claim shall be equal to the product of the following amounts:

(a) The product of one and five-tenths multiplied by the regular program district cost per pupil for the budget year during which the students identified under subparagraph (2) were assigned to the therapeutic classroom.

(b) The quotient of the total number of days the students identified under subparagraph (2) were served in a therapeutic classroom divided by the maximum number of school days in the school district’s calendar.

(4) Using end-of-year data submitted by each school district through student-level data collection, the department shall make claim forms available to each eligible school district containing the available data.

2. Nonpublic school students assigned to a therapeutic classroom under [subsection 1](#), paragraph “b”, shall be enrolled in a school district as shared-time pupils under [section 257.6](#), [subsection 1](#), paragraph “a”, subparagraph (7), in order for the school district to submit a claim for reimbursement for services provided to such students under [subsection 1](#), paragraph “b”.

3. The department shall prorate the amount of claims reimbursement under [subsection 1](#), paragraph “a”, if the amount of reimbursement claimed for all school districts under

[subsection 1](#), paragraph “a”, exceeds the amount appropriated by the general assembly for such purpose plus any available remaining balances from prior fiscal years.

4. The costs of providing transportation to nonpublic school pupils as provided in [this section](#) shall not be included in the computation of district cost under [chapter 257](#), but shall be shown in the budget as an expense from miscellaneous income. Any transportation reimbursements received by a school district for transporting nonpublic school pupils shall not affect district cost limitations of [chapter 257](#). The reimbursements provided in [this section](#) are miscellaneous income as defined in [section 257.2](#).

5. By June 15 of each year, school districts with eligible claims shall submit such claims to the department. By July 1 of each year, the department shall draw warrants payable to school districts which have established claims.

6. The state board shall adopt rules pursuant to [chapter 17A](#) to administer [this section](#).

7. For purposes of [this section](#), “*therapeutic classroom*” means the same as defined in [section 256.25, subsection 7](#).

[2020 Acts, ch 1108, §4](#)

Referred to in [§257.6, 257.16C](#)

256.26 Before and after school grant program. Repealed by 2018 Acts, ch 1057, §13.

256.27 Online state job posting system. Repealed by 2023 Acts, ch 111, §41.

256.28 Teach Iowa student teaching pilot project.

1. Subject to an appropriation of sufficient funds by the general assembly, the department shall establish a teach Iowa student teaching pilot project in collaboration with two institutions of higher education which offer teacher preparation programs approved by the state board of education pursuant to [section 256.7, subsection 3](#). The two institutions of higher education shall include one institution of higher education under the control of the state board of regents and one accredited private institution as defined in [section 256.183](#).

2. The teach Iowa student teaching pilot project shall provide students in teacher preparation programs with a one-year student teaching experience. A student teaching experience provided under the pilot project must include all of the following requirements:

a. A participating institution of higher education shall work with one or more school districts individually or collaboratively to place groups of students in a student teaching experience for an entire academic year. A participating institution of higher education shall take into consideration geographic diversity in the selection of school districts for participation in the pilot project.

b. A participating institution of higher education shall supervise the student teachers in the classroom and shall provide the students with weekly on-site instruction in pedagogy in the participating school districts.

3. The state board shall adopt rules pursuant to [chapter 17A](#) to administer [this section](#).

[2013 Acts, ch 121, §45](#)

Section not amended; internal reference change applied

256.29 Council on educator development established. Repealed by 2017 Acts, ch 29, §164.

256.30 Educational expenses for American Indians.

1. For the fiscal year beginning July 1, 2011, and ending June 30, 2012, and for each succeeding fiscal year, there is appropriated from the general fund of the state to the department the sum of one hundred thousand dollars. The department shall distribute the appropriation to the tribal council of the Sac and Fox Indian settlement for expenses of educating American Indian children residing in the Sac and Fox Indian settlement on land held in trust by the secretary of the interior of the United States in excess of federal moneys paid to the tribal council for educating the American Indian children.

2. The tribal council shall administer the moneys distributed by the department pursuant to [subsection 1](#) and shall first use moneys distributed to pay the additional costs of salaries for licensed instructional staff for educational attainment and full-time equivalent years of

experience to equal the salaries listed on the proposed salary schedule for the school at the Sac and Fox Indian settlement for that school year, but the salary for a licensed instructional staff member employed on a full-time basis shall not be less than eighteen thousand dollars. The department of management shall approve allotments of moneys appropriated in and distributed pursuant to [this section](#).

[87 Acts, ch 233, §453; 88 Acts, ch 1284, §43; 89 Acts, ch 265, §40; 2011 Acts, ch 131, §4, 158; 2013 Acts, ch 88, §2](#)

256.31 Community college council.

1. A community college council is established consisting of six members. Membership of the council shall be as follows:

a. The three members of the state board of education who have knowledge of issues and concerns affecting the community college system as provided in [section 256.3](#).

b. An additional member of the state board of education appointed annually by the president of the state board of education.

c. A community college president appointed by an association which represents the largest number of community college presidents in the state.

d. A community college trustee appointed by an association which represents the largest number of community college trustees in the state.

2. The nonboard members shall serve staggered terms of three years beginning on May 1 of the year of appointment. Vacancies on the council shall be filled in the same manner as the original appointment. A person appointed to fill a vacancy shall commence service on the date of appointment and shall serve only for the unexpired portion of the term.

3. The council shall assist the state board of education with substantial issues which are directly related to the community college system. The state board shall refer all substantial issues directly related to the community college system to the council. The council shall formulate recommendations on each issue referred to it by the state board and shall submit the recommendations to the state board within any specified time periods.

[90 Acts, ch 1253, §7; 92 Acts, ch 1027, §1, 2; 2000 Acts, ch 1167, §3; 2011 Acts, ch 20, §6; 2011 Acts, ch 118, §85, 89](#)

256.32 Council for agricultural education.

1. An advisory council for agricultural education is established, which consists of nine members appointed by the governor. The nine members shall include the following:

a. Five persons representing all areas of agriculture and diverse geographical areas.

b. An individual representing agriculture on a council created to advise the state on career and technical education matters.

c. A secondary school program instructor, a postsecondary school program instructor, and a teacher educator.

2. The council may also include as ex officio members the following persons, as determined by the voting members of the council:

a. The state future farmers of America president.

b. The current state future farmers of America alumni association president.

c. The current postsecondary agriculture student organization of Iowa president.

d. A state consultant in agricultural education.

e. The secretary of agriculture or the secretary's designee.

f. Two members of each house of the general assembly. This membership shall be bipartisan in composition and one member each shall be selected by the president of the senate, after consultation with the majority leader of the senate, and by the minority leader of the senate, and one member each shall be selected by the speaker of the house of representatives and by the minority leader of the house of representatives.

3. The duties of the council are to review, develop, and recommend standards for secondary and postsecondary agricultural education. The council shall annually issue a report to the state board of education and the chairpersons of the house and senate agriculture and education committees regarding both short-term and long-term curricular standards for agricultural education and the council's activities. The council shall meet a

minimum of twice annually, and must have a quorum consisting of a majority of voting members present to hold an official meeting and to take any final council action. However, hearings may be held without a quorum. The chairperson shall be elected annually by and from the voting membership. The initial organizational meeting shall be called by the director of the department of education.

4. The term of membership is three years. The terms shall be staggered so that three of the terms end each year, but no member serving on the initial council shall serve less than one year. The governor shall determine the length of the initial terms of office. However, the terms of office for members of the general assembly shall be as provided in [section 69.16B](#).

[2011 Acts, ch 85, §1](#); [2012 Acts, ch 1021, §55](#); [2012 Acts, ch 1023, §33](#); [2016 Acts, ch 1108, §31](#)

256.32A Iowa dyslexia board.

1. An Iowa dyslexia board is established to guide, facilitate, and oversee implementation of dyslexia instruction in Iowa and make recommendations for continued improvement of such instruction. The Iowa dyslexia board shall also submit recommendations as follows:

a. To the department regarding the required and preferred qualifications for a dyslexia consultant position required in accordance with [section 256.9, subsection 60](#).

b. To the area education agencies regarding the required and preferred qualifications for dyslexia specialists required in accordance with [section 273.2, subsection 11](#).

2. The Iowa dyslexia board shall consist of the following members:

a. The director of the department or the director's designee.

b. A representative of the Iowa reading research center.

c. A representative of an area education agency.

d. One school administrator.

e. One reading specialist.

f. One special education teacher.

g. An elementary core literacy teacher.

h. Two representatives of decoding dyslexia who are parents of children with dyslexia.

i. One representative of decoding dyslexia who is an individual with dyslexia.

j. One provider certified in a structured literacy reading program.

k. One psychologist or speech language pathologist licensed in the state of Iowa with experience in diagnosing dyslexia.

l. A representative of an institution of higher education in Iowa with documented expertise in dyslexia and reading instruction.

m. The department dyslexia consultant if maintained by the department pursuant to [section 256.9, subsection 60](#).

3. The term of membership is three years. The terms shall be staggered so that at least four of the terms end each year, but no member serving on the initial board shall serve less than one year. The governor shall determine the length of the initial terms of office.

4. The Iowa dyslexia board shall submit its findings and recommendations in a report to the general assembly by November 15 annually.

5. [This section](#) is repealed July 1, 2025.

[2020 Acts, ch 1048, §3](#)

256.33 Educational technology assistance.

1. The department shall consort with school districts, area education agencies, community colleges, and colleges and universities to provide assistance to them in the use of educational technology for instruction purposes. The department shall consult with the advisory committee on telecommunications, established in [section 256.7, subsection 7](#), and other users of educational technology on the development and operation of programs under [this section](#).

2. If moneys are appropriated by the general assembly for a fiscal year for purposes provided in [this section](#), the programs funded by the department may include but not be limited to:

a. The development and delivery of in-service training, including summer institutes

and workshops for individuals employed by elementary, secondary, and higher education corporations and institutions who are using educational technology for instructional purposes. The in-service programs shall include the use of hardware as well as effective methods of delivery and maintenance of a learning environment.

b. Research projects on ways to improve instruction at all educational levels using educational technology.

c. Demonstration projects which model effective uses of educational technology.

d. Establishment of a clearinghouse for information and research concerning practices relating to and uses of educational technology.

e. Development of curricula that could be used by approved teacher preparation institutions to prepare teachers to use educational technology in the classroom.

f. Pursuit of additional funding from public and private sources for the functions listed in [this section](#).

3. Priority shall be given to programs integrating educational technology into the classroom. The department may award grants to school corporations and higher education institutions to perform the functions listed in [this section](#).

[89 Acts, ch 319, §41; 93 Acts, ch 48, §16; 95 Acts, ch 67, §20; 2010 Acts, ch 1061, §180; 2012 Acts, ch 1119, §20](#)

256.34 Fine arts beginning teacher mentoring program.

1. The department shall establish a fine arts beginning teacher mentoring program under a contract with an Iowa-based nonprofit organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the Internal Revenue Code; has membership from the six state fine arts organizations representing kindergarten through grade twelve general music, choral music, instrumental music, visual arts, and drama and theater arts educators; and has administered a federally funded statewide fine arts mentoring program since 2006.

2. Program criteria shall include a required match of one dollar provided by the organization contracting to deliver services under [subsection 1](#) for each dollar provided to the organization by the department. Moneys in the fund established under [subsection 6](#) shall not be disbursed until the department receives evidence that the organization meets or will meet the match requirement. The department may consider in-kind contributions received by the organization for matching purposes.

3. The program provided under contract by the nonprofit organization shall provide for all of the following:

a. Activities and consultation in support of beginning fine arts teachers employed in Iowa's school districts, including but not limited to guidance in the classroom and at meetings, and resources of materials, time, and financial scholarship for state conferences that will support a beginning fine arts teacher's effectiveness in the classroom.

b. Coordination of retired and currently employed experienced fine arts mentor educators with beginning fine arts educators.

c. Materials and advice specifically designed to prepare beginning fine arts teachers for success in the fine arts classroom and to prepare kindergarten through grade twelve students for school district fine arts performances and festivals.

4. The nonprofit organization under contract with the department under this section shall provide quarterly reports detailing the organization's compliance with the requirements of [subsection 3](#) and the expenditures of moneys for purposes of the fine arts beginning teacher mentoring program.

5. The director of the department may for good cause suspend, revoke, or refuse to renew a contract entered into in accordance with the provisions of [this section](#).

6. There is established in the state treasury a fine arts beginning teacher mentoring fund that is under the control of and administered by the department of education. The department may accept gifts, grants, bequests, and other private contributions, as well as state or federal funds, and shall deposit the moneys in the fund to be used for purposes of the fine arts beginning teacher mentoring program. Moneys in the fund are appropriated to the department and shall be used for the purposes of [this section](#). Moneys in the fund may be used to reimburse mentors for business travel expenses incurred in the performance of

a mentor's duties at a rate not to exceed the current rate of reimbursement allowed under the standard method for computation of business travel expenses pursuant to the Internal Revenue Code. The department shall not commingle federal, state, and private funds within the fund. Moneys appropriated for the program shall supplement, not supplant, moneys appropriated for purposes of the beginning teacher mentoring and induction program created under [section 284.5](#). Notwithstanding [section 8.33](#), moneys in the fund that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year. Notwithstanding [section 12C.7, subsection 2](#), interest earned on moneys in the fine arts beginning teacher mentoring fund shall be credited to the fund.

[2016 Acts, ch 1132, §7; 2023 Acts, ch 111, §36](#)

Referred to in [§284.13](#)
Subsection 2 amended

256.35 Regional autism assistance program.

The department shall establish a regional autism assistance program, to be administered by the child health specialty clinics of the university of Iowa hospitals and clinics. The program shall be designed to coordinate educational, medical, and other human services for persons with autism, their parents, and providers of services to persons with autism. The function of the program shall include but is not limited to the coordination of diagnostic and assessment services, the maintaining of a research base, coordination of in-service training, providing technical assistance, and providing consultation.

[90 Acts, ch 1272, §42; 2014 Acts, ch 1026, §60](#)

Referred to in [§225D.1](#)

256.35A Iowa autism council.

1. An Iowa autism council is created to act in an advisory capacity to the state in developing and implementing a comprehensive, coordinated system to provide appropriate diagnostic, intervention, and support services for children with autism and to meet the unique needs of adults with autism.

2. *a.* The council shall consist of thirteen voting members appointed by the governor and confirmed by the senate. The majority of the voting members shall be individuals with autism or members of their families. Additionally, each of the following shall be represented among the voting members:

- (1) Autism diagnostic and research specialists.
- (2) Individuals with recognized expertise in utilizing best practices for diagnosis, intervention, education, and support services for individuals with autism.
- (3) Individuals providing residential services for individuals with autism.
- (4) Mental health professionals with background or expertise in a pertinent mental health field such as psychiatry, psychology, or behavioral health.
- (5) Private insurers.
- (6) Teachers and representatives of area education agencies.

b. In addition, representatives of the department of education, the division of vocational rehabilitation of the department of workforce development, the department of health and human services, the Iowa developmental disabilities council, the division of insurance of the department of insurance and financial services, and the state board of regents shall serve as ex officio members of the advisory council. Ex officio members shall work together in a collaborative manner to serve as a resource to the advisory council. The council may also form workgroups as necessary to address specific issues within the technical purview of individual members.

c. Voting members shall serve three-year terms beginning and ending as provided in [section 69.19](#), and appointments shall comply with [sections 69.16](#) and [69.16A](#). Vacancies on the council shall be filled in the same manner as the original appointment. A person appointed to fill a vacancy shall serve only for the unexpired portion of the term. Public members shall receive reimbursement for actual expenses incurred while serving in their official capacity and may also be eligible to receive compensation as provided in [section 7E.6](#).

d. The council shall elect a chairperson from its voting members annually. A majority of the voting members of the council shall constitute a quorum.

e. The department shall convene and provide administrative support to the council.

3. The council shall focus its efforts on addressing the unmet needs of individuals with autism at various levels of severity and their families. The council shall address all of the following:

a. Early identification by medical professionals of autism, including education and training of health care and mental health care professionals and the use of best practice guidelines.

b. Appropriate early and intensive early intervention services with access to models of training.

c. Integration and coordination of the medical community, community educators, childhood educators, health care providers, and community-based services into a seamless support system for individuals and their families.

d. General and special education support services.

e. In-home support services for families requiring behavioral and other supports.

f. Training for educators, parents, siblings, and other family members.

g. Enhancing of community agency responsiveness to the living, learning, and employment needs of adults with autism and provision of services including but not limited to respite services, crisis intervention, employment assistance, case management, and long-term care options.

h. Financing options including but not limited to medical assistance waivers and private health insurance coverage.

i. Data collection.

4. The council shall meet quarterly. The council shall submit a report to the governor and the general assembly, annually by December 15, identifying the needs and making recommendations for improving and enhancing the lives of individuals with autism and their families.

5. For the purposes of [this section](#), “autism” means a spectrum disorder that includes at various levels of severity, autism, Asperger’s disorder, pervasive developmental disorder not otherwise specified, Rett’s syndrome, and childhood disintegrative disorder.

[2008 Acts, ch 1187, §126; 2012 Acts, ch 1023, §34; 2023 Acts, ch 19, §987, 2239, 2720](#)

Confirmation, see [§2.32](#)

See Code editor’s note on simple harmonization at the beginning of this Code volume

Subsection 2, paragraph b amended

256.36 Math and science grant program.

1. a. The department shall establish a math and science education grant program to provide for the allocation of grant moneys to public school corporations and to contract for the development of statewide program models and recommendations in keeping with the goals stated in [this section](#).

(1) A public school corporation desiring to receive grant moneys under the program may submit plans and a proposed budget to the department for approval. The department shall review each plan and its proposed budget and award grants, which may be matching funds grants, for approved plans by July 1 of the calendar year in which the approved plans were submitted. Provision of matching funds from institutional private sources shall be considered by the department in reviewing plans and proposed budgets and awarding grant moneys.

(2) However, for the first school year for which program funds are appropriated, a board of directors of a public school corporation may submit a proposed plan and budget not later than January 1 of that school year and the department shall notify public school corporations by February 15 of that same school year that their plans have been approved or disapproved by the department.

b. In addition to awarding grants, and if the activity does not violate federal matching funds requirements for an Iowa math and science grant program, the department may expend funds to contract with a public or private nonprofit education organization, association, or laboratory for the development of models or recommendations with statewide applications to further the goals of [this section](#).

2. The department shall make recommendations for, and the state board shall adopt, rules relating to program goals and program administration.

a. The goals of the math and science education program may include but are not limited to the following:

(1) The development of a model multidisciplinary science curricula that will serve as the framework for the development of individual teaching modules.

(2) The design and implementation of a statewide model for staff development in science and math education.

(3) The development of specific recommendations and rationale for changes in school standards that will facilitate improvements in math and science education and provide outcomes that serve as a standard of successful learning.

(4) The provision of a sequence of competencies and instructional strategies for inclusion in teacher preparation programs for those entering math and science programs in Iowa teacher preparation institutions.

(5) The development and implementation of a new statewide assessment program that is consistent with the materials and approaches envisioned.

(6) The development and implementation strategies for recruitment and retention of females and minorities in math and science education.

b. Program administration rules shall include but are not limited to development of standard formats and procedures for the submission and assessment of grant applications.

3. The board of educational examiners may develop recommendations for specific changes in the licensing requirements for math and science teachers.

4. There is established in the state treasury a math and science education account that is under the control of and administered by the department of education. The department may accept gifts, grants, bequests, and other private contributions, as well as state or federal funds, and shall deposit the moneys in the account to be used for distribution as grant award moneys under the math and science education program. Moneys in the account are appropriated and may be used for the purposes of [this section](#). The department shall not commingle federal, state, and private funds within the account. Not more than six percent of any state funds appropriated for the program may be used for administrative purposes. State funds appropriated and any interest earned on the state funds but not expended for the first two years of the program shall not revert to the general fund under [section 8.33](#), but shall remain available for expenditure until June 30 of the third year of the program. In subsequent years, state funds and any interest earned on the state funds which are appropriated, but not expended by June 30 of the school year shall revert to the general fund as provided under [section 8.33](#). Receipt of funds during the first year of the program shall not affect eligibility to receive funds during any subsequent years.

[91 Acts, ch 71, §1; 2010 Acts, ch 1069, §68](#)

256.37 School restructuring and effectiveness — policy — findings.

It is the policy of the state of Iowa to provide an education system that prepares the children of this state to meet and exceed the technological, informational, and communications demands of our society. The general assembly finds that the current education system must be transformed to deliver the enriched educational program that the adults of the future will need to have to compete in tomorrow's world. The general assembly further finds that the education system must strive to reach the following goals:

1. All children in Iowa must start school ready to learn.

2. Iowa's high school graduation rate must increase to at least ninety percent.

3. Students graduating from Iowa's education system must demonstrate competency in challenging subject matter, and must have learned to use their minds well, so they may be prepared for responsible citizenship, further learning, and productive employment in a global economy.

4. Iowa students must be first in the world in science and mathematics achievement.

5. Every adult Iowan must be literate and possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship.

6. Every school in Iowa must be free of drugs and violence and offer a disciplined environment conducive to learning.

[92 Acts, ch 1159, §4](#)

256.38 School-to-work transition system. Repealed by 2013 Acts, ch 88, §37.

256.39 Career pathways program.

1. If the general assembly appropriates moneys for the establishment of a career pathways program, the department of education shall develop a career pathways grant program, criteria for the formation of ongoing career pathways consortia in each merged area, and guidelines and a process to be used in selecting career pathways consortium grant recipients, including a requirement that grant recipients shall provide matching funds or match grant funds with in-kind resources on a dollar-for-dollar basis. A portion of the moneys appropriated by the general assembly shall be made available to schools to pay for the issuance of employability skills assessments to public or nonpublic school students. An existing partnership or organization, including a regional career and technical education planning partnership, that meets the established criteria, may be considered a consortium for grant application purposes. One or more school districts may be considered a consortium for grant application purposes, provided the district can demonstrate the manner in which a community college, area education agency, representatives from business and labor organizations, and others as determined within the region will be involved. Existing regional career and technical education planning partnerships are encouraged to assist the local consortia in developing a plan and budget. The department shall provide assistance to consortia in planning and implementing career pathways program efforts.

2. To be eligible for a career pathways grant, a career pathways consortium shall develop a career pathways program that includes but is not limited to the following:

a. Measurement of the employability skills of students. Employability skills shall include but are not limited to reading for information, applied mathematics, listening, and writing.

b. Curricula designed to integrate academic and work-based learning to achieve high employability skills by all students related to career pathways. The curricula shall be designed through the cooperative efforts of secondary and postsecondary education professionals, business professionals, and community services professionals.

c. Staff development to implement the high-standard curriculum. These efforts may include team teaching techniques that utilize expertise from partnership businesses and postsecondary institutions.

3. In addition to the provisions of [subsection 2](#), a career pathways program may include but is not limited to the following:

a. Career guidance and exploration for students.

b. Involvement and recognition of business, labor, and community organizations as partners in the career pathways program.

c. Provision for program accountability.

d. Encouragement of team teaching within the school or in partnership with postsecondary schools, and business, labor, community, and nonprofit organizations.

e. Service learning opportunities for students.

4. Business, labor, and community organizations are encouraged to market the career pathways program to the local community and provide students with mentors, shadow professionals, speakers, field trip sites, summer jobs, internships, and job offers for students who graduate with high performance records. Students are encouraged to volunteer their time to community organizations in exchange for workplace learning opportunities that do not displace current employees.

5. In developing career pathways program efforts, each consortium shall make every effort to cooperate with the juvenile courts, the economic development authority, the department of workforce development, the department of health and human services, and the new Iowa schools development corporation.

6. The department of education shall direct and monitor the progress of each career pathways consortium in developing career pathways programs.

7. Notwithstanding [section 8.33](#), unencumbered or unobligated funds remaining on June 30 of the fiscal year for which the funds were appropriated shall not revert but shall be available for expenditure for the following fiscal year for the purposes of [this section](#).

[95 Acts, ch 196, §2](#); [96 Acts, ch 1186, §23](#); [2003 Acts, ch 180, §7](#); [2011 Acts, ch 118, §85, 89](#); [2014 Acts, ch 1026, §61](#); [2016 Acts, ch 1108, §32](#); [2017 Acts, ch 29, §59](#); [2023 Acts, ch 19, §988](#)

Subsection 5 amended

256.40 Statewide work-based learning intermediary network — fund — steering committee — regional networks. Transferred to [§84A.16](#); [2023 Acts, ch 19, §2200](#).

256.41 Online learning requirements — school districts.

1. A school district providing educational instruction and course content delivered primarily over the internet shall do all of the following with regard to such instruction and content:

a. Monitor and verify full-time student enrollment, timely completion of graduation requirements, course credit accrual, and course completion.

b. Monitor and verify student progress and performance in each course through a school-based assessment plan that includes submission of coursework and security and validity of testing components.

c. Conduct parent-teacher conferences.

d. Administer assessments required by the state to all students in a proctored setting and pursuant to state law.

2. Online learning curricula shall be provided and supervised by a teacher licensed under [subchapter VII, part 3](#).

[2012 Acts, ch 1119, §18](#); [2018 Acts, ch 1119, §5](#); [2023 Acts, ch 19, §2549](#)

Subsection 2 amended

256.42 Iowa learning online initiative. Repealed by [2020 Acts, ch 1107, §10](#).

256.43 Online learning program model.

1. *Online learning program model established.* The director shall establish an online learning program model that provides for the following:

a. Online access to high-quality content, instructional materials, and blended learning.

b. Coursework customized to the needs of the student using online content.

c. A means for a student to demonstrate competency in completed online coursework.

d. High-quality online instruction taught by teachers licensed under [subchapter VII, part 3](#).

e. Online content and instruction evaluated on the basis of student learning outcomes.

f. Use of funds available for online learning for program development, implementation, and innovation.

g. Infrastructure that supports online learning.

h. Online administration of online course assessments.

i. Criteria for school districts or schools to use when choosing providers of online learning to meet the online learning requirements specified in rules adopted pursuant to [section 256.7, subsection 32](#).

2. *Private providers.*

a. At the discretion of the school board or authorities in charge of an accredited nonpublic school, after consideration of circumstances created by necessity, convenience, and cost-effectiveness, courses developed by private providers may be utilized by the school district or school in implementing a high-quality online learning program. Courses obtained from private providers shall be taught by teachers licensed under [subchapter VII, part 3](#).

b. A school district may provide courses developed by private providers and delivered primarily over the internet to pupils who are participating in open enrollment under [section 282.18](#). However, if a student's participation in open enrollment to receive educational instruction and course content delivered primarily over the internet results in the termination of enrollment in the receiving district, the receiving district shall, within thirty days of the termination, notify the district of residence of the termination and the date of the termination.

c. Courses provided by private providers to a school district or accredited nonpublic school in accordance with [this section](#) shall meet the Iowa core and core content requirements and standards, as well as national standards of quality for online courses issued by an internationally recognized association for kindergarten through grade twelve online learning, and be approved in accordance with [section 256.9, subsection 55](#).

3. *Grading.* Grades in online courses shall be based, at a minimum, on whether a student mastered the subject, demonstrated competency, and met the standards established by the school district. Grades shall be conferred only by teachers licensed under [subchapter VII, part 3](#).

4. *Accreditation criteria.* All online courses and programs shall meet existing accreditation standards.

5. *Prohibited activities.* A rebate for tuition or fees paid or any other dividend or bonus moneys for enrollment of a child shall not be offered or provided directly or indirectly by a school district, school, or private provider to the parent or guardian of a pupil who enrolls in a school district or school to receive educational instruction and course content delivered primarily over the internet.

[2012 Acts, ch 1119, §19; 2018 Acts, ch 1119, §9 – 11; 2018 Acts, ch 1163, §12; 2020 Acts, ch 1107, §6; 2021 Acts, ch 80, §134, 135; 2023 Acts, ch 19, §2550 – 2552](#)

Referred to in [§256.7, 279.10](#)

Subsection 1, paragraph d amended

Subsection 2, paragraph a amended

Subsection 3 amended

256.44 National board certification pilot project.

1. A national board certification pilot project is established to be administered by the department of education. A teacher, as defined in [section 256.145](#), who registers for or achieves national board for professional teaching standards certification, and who is employed by a school district in Iowa and receiving a salary as a classroom teacher, may be eligible for the following:

a. If a teacher registers for national board for professional teaching standards certification after December 31, 2007, a one-time initial reimbursement award in the amount of up to one-half of the registration fee paid by the teacher for registration for certification by the national board for professional teaching standards. The teacher shall apply to the department in a manner and according to procedures required by the department, submitting to the department any documentation the department requires. A teacher who receives an initial reimbursement award shall receive a one-time final registration award in the amount of the remaining national board registration fee paid by the teacher if the teacher notifies the department of the teacher's certification achievement and submits any documentation requested by the department.

b. (1) (a) If, by May 1, 2000, the teacher applies to the department for an annual award and submits documentation of certification by the national board for professional teaching standards, an annual award in the amount of five thousand dollars. However, if the teacher does not achieve certification on the teacher's first attempt to pass the national board for professional teaching standards assessment, the teacher shall be paid the award amount as provided in subparagraph division (b) upon achieving certification. The department shall award not more than a total of fifty thousand dollars in annual awards to an individual during the individual's term of eligibility for annual awards.

(b) If the teacher registers for national board for professional teaching standards certification and achieves certification within the timelines and policies established by the national board for professional teaching standards, an annual award in the amount of two thousand five hundred dollars upon achieving certification by the national board of professional teaching standards.

(2) To receive an annual award pursuant to this paragraph "b", a teacher shall apply to the department for an award within one year of eligibility. Payment for awards shall be made only upon departmental approval of an application or recertification of eligibility. A term of eligibility shall be for ten years or for the years in which the individual maintains a valid

certificate, whichever time period is shorter. In order to continue receipt of payments, a recipient shall annually recertify eligibility.

2. *a.* If the amount appropriated annually for purposes of [this section](#) is insufficient to pay the full amount of reimbursement awards in accordance with [subsection 1](#), paragraph “*a*”, the department shall annually prorate the amount of the registration awards provided to each teacher who meets the requirements of [this section](#).

b. If the amount appropriated annually for purposes of providing an annual award in accordance with [subsection 1](#), paragraph “*b*”, is insufficient to pay the full annual award to all teachers approved by the department for an annual award, the department shall prorate the amount of the annual award based upon the amount appropriated.

3. A teacher receiving an annual award pursuant to [this section](#) may provide additional services to the school district that employs the teacher. The additional services to be provided by the teacher may be mutually agreed upon by the school district and the teacher.

4. Awards shall be paid to teachers by the department as follows:

a. Upon receipt of reimbursement documentation as provided in [subsection 1](#), paragraph “*a*”.

b. Not later than June 1 to teachers whose applications and recertifications for annual awards as provided in [subsection 1](#), paragraph “*b*”, are submitted to the department by May 1 and subsequently approved.

5. Notwithstanding any provision to the contrary, a teacher approved by the department to receive an annual award for certification in accordance with [this section](#) in the fiscal year beginning July 1, 1998, shall receive the annual award amount specified in [subsection 1](#), paragraph “*b*”, subparagraph (1), subparagraph division (a), to commence with the fiscal year beginning July 1, 1999.

6. From funds appropriated for purposes of [this section](#) by the general assembly to the department of education for each fiscal year in the fiscal period beginning July 1, 1999, and ending June 30, 2004, three hundred thousand dollars, or so much thereof as may be necessary, shall be used for the payment of registration awards as provided in [subsection 4](#), paragraph “*a*”.

7. The department shall prorate the amount of the annual awards paid in accordance with [this section](#) when the number of award recipients exceeds one thousand one hundred individuals. The department may prorate the amount of an annual award when a teacher who meets the qualifications of [subsection 1](#) is employed on a less than full-time basis by a school district. The state board shall adopt rules under [chapter 17A](#) establishing criteria for the proration of annual awards.

8. Notwithstanding [section 8.33](#), funds appropriated for purposes of [this section](#) which remain unencumbered or unobligated at the close of the fiscal year for which the funds were appropriated shall not revert but shall be available for expenditure for the following fiscal year for purposes of [this section](#).

98 Acts, ch 1216, §5; 99 Acts, ch 142, §1; 99 Acts, ch 205, §20; 2002 Acts, ch 1152, §3, 4; 2004 Acts, ch 1175, §90; 2005 Acts, ch 169, §20, 21; 2006 Acts, ch 1182, §4; 2007 Acts, ch 108, §6, 7; 2009 Acts, ch 41, §263; 2012 Acts, ch 1119, §29, 30

Referred to in §284.13, 284.15

Section not amended; internal reference change applied

256.45 Ambassador to education.

1. The department of education shall establish and administer the position of ambassador to education. It shall be the function of the ambassador to education to act as an education liaison to primary and secondary schools in this state. The ambassador to education position shall be filled by the educator selected as teacher of the year by the governor, but only if that person agrees to fill the ambassador to education position.

2. The ambassador to education’s duties shall be established by the director of the department and shall be tailored to the relative skills and educational background of the person designated as ambassador. Duties of the ambassador may include but are not limited to providing seminars and workshops in the subject matter area in which the ambassador

possesses expertise, accompanying the director of the department of education in the exercise of the director's duties in the state, and speaking at public gatherings in the state.

3. The ambassador to education shall receive, in lieu of compensation from the district in which the ambassador is regularly employed, a salary equal to the amount of salary the person would have received from the district in the person's regular position during the school year for which the person serves as ambassador, or thirty thousand dollars, whichever amount is greater. The ambassador shall also be compensated for actual expenses incurred as a result of the performance of duties under [this section](#).

4. The department shall grant funds in an amount equal to the salary and benefits the person selected as ambassador to education would have received from the district, or thirty thousand dollars, whichever amount is greater, to the school district that employs the person selected as the ambassador. The department shall also reimburse the school district for actual expenses incurred as a result of the performance of duties under [this section](#). The school district shall grant the person a one-year sabbatical in order to allow the person to be the ambassador to education, and during the sabbatical, shall pay the salary and benefits of the ambassador with funds granted by the department. The person selected as the ambassador to education shall be entitled to return to the person's same or a comparable position without loss of accrued benefits or seniority.

[90 Acts, ch 1272, §43](#); [98 Acts, ch 1216, §6](#); [2017 Acts, ch 54, §76](#)

Referred to in [§284.13](#)

SUBCHAPTER II

PARTICIPATION IN INTERSCHOLASTIC ACTIVITIES

256.46 Rules for participation in extracurricular activities by certain children.

1. The state board shall adopt rules that permit a child who does not meet the residence requirements for participation in extracurricular interscholastic contests or competitions sponsored or administered by an organization as defined in [section 280.13](#) to participate in the contests or competitions immediately if the child is duly enrolled in a school, is otherwise eligible to participate, and meets one of the following circumstances or a similar circumstance:

- a. The child has been adopted.
- b. The child is placed under foster or shelter care.
- c. The child is living with one of the child's parents as a result of divorce, separation, death, or other change in the child's parents' marital relationship, or pursuant to other court-ordered decree or order of custody.
- d. The child is a foreign exchange student, unless undue influence was exerted to place the child for primarily athletic purposes.
- e. The child has been placed in a juvenile correctional facility.
- f. The child is a ward of the court or the state.
- g. The child is a participant in a substance use disorder or mental health program.
- h. The child is enrolled in an accredited nonpublic high school because the child's district of residence has entered into a whole grade sharing agreement for the pupil's grade with another district.
 - i. If the child's former school or school district, if located in this state, was unable to participate in varsity interscholastic sports as the result of a decision or implementation of a decision of the school board or superintendent.

2. The rules shall permit a child who is otherwise eligible to participate, but who does not meet one of the foregoing or similar circumstances relating to residence requirements, to participate at any level of competition other than the varsity level.

3. For purposes of [this section](#) and [section 282.18](#), "varsity" means the highest level of

competition offered by one school or school district against the highest level of competition offered by an opposing school or school district.

90 Acts, ch 1049, §1; 92 Acts, ch 1135, §1; 93 Acts, ch 101, §201; 2002 Acts, ch 1129, §1; 2005 Acts, ch 79, §1; 2006 Acts, ch 1152, §20; 2019 Acts, ch 24, §30; 2021 Acts, ch 139, §12, 22; 2023 Acts, ch 19, §989

Referred to in §282.18

Extracurricular eligibility; see also chapter 2611 and §282.18(9)

Subsection 1, paragraph i applies retroactively to July 1, 2020; 2021 Acts, ch 139, §22

Subsection 1, paragraph g amended

256.47 through 256.49 Reserved.

SUBCHAPTER III
LIBRARY SERVICES

PART 1
GENERAL PROVISIONS

256.50 through 256.52 Transferred to §8A.201 through 8A.203; 2023 Acts, ch 19, §1382.

256.53 through 256.59 Transferred to §8A.205 through 8A.211; 2023 Acts, ch 19, §1382.

PART 2
LIBRARY SERVICES ADVISORY PANEL AND LOCAL FINANCIAL SUPPORT

256.60 and 256.61 Repealed by 2011 Acts, ch 132, §66, 106.

256.62 Library services advisory panel. Transferred to §8A.221; 2023 Acts, ch 19, §1382.

256.63 through 256.65 Repealed by 2001 Acts, ch 158, §40.

256.66 through 256.68 Repealed by 2011 Acts, ch 132, §66, 106.

256.69 Local financial support. Transferred to §8A.222; 2023 Acts, ch 19, §1382.

PART 3
LIBRARY COMPACT

256.70 through 256.73 Transferred to §8A.231 through 8A.234; 2023 Acts, ch 19, §1382.

256.74 through 256.79 Reserved.

SUBCHAPTER IV
PUBLIC BROADCASTING

256.80 Definitions.

As used in [this subchapter](#) unless the context otherwise requires:

1. “Administrator” means the administrator of the public broadcasting division of the department of education.
2. “Board” means the Iowa public broadcasting board.

3. “Broadcast” means communications through a system that is receivable by the general public with programming designed for a large group of users.

4. “Narrowcast” means communications through systems that are directed toward a narrowly defined audience.

5. “Radio and television facility” means transmitters, towers, studios, and all necessary associated equipment for broadcasting, including closed circuit television.

[93 Acts, ch 48, §37](#)

256.81 Public broadcasting division created — administrator — duties.

1. The public broadcasting division of the department of education is created. The chief administrative officer of the division is the administrator who shall be appointed by and serve at the pleasure of the Iowa public broadcasting board. The board shall set the division administrator’s salary within the applicable salary range established by the general assembly unless otherwise provided by law. Educational programming shall be the highest priority of the division. The division shall be governed by the national principles of editorial integrity developed by the editorial integrity project. The director of the department of education and the state board of education are not liable for the activities of the division of public broadcasting.

2. The administrator shall do all of the following:

a. Direct and organize the activities of the division.

b. Submit a biennial report to the governor on the activities and an evaluation of the division and its programs and policies.

c. Control all property of the division.

d. Perform other duties imposed by law.

[93 Acts, ch 48, §38; 2006 Acts, ch 1185, §22; 2010 Acts, ch 1069, §69](#)

Referred to in [§8F2](#)

256.82 Board — advisory committees.

1. The Iowa public broadcasting board is created to plan, establish, and operate educational radio and television facilities and other telecommunications services to serve the educational needs of the state. The board shall be composed of nine members selected in the following manner:

a. Four members shall be appointed by the governor so that the portion of the board membership appointed under this paragraph includes two male board members and two female board members at all times:

(1) One member shall be appointed from the business community other than the television and telecommunications industry.

(2) One member shall be appointed with experience in or knowledge about the television industry.

(3) One member shall be appointed from the membership of a fundraising nonprofit organization financially assisting the Iowa public broadcasting division.

(4) One member shall represent the general public.

b. Five members shall be selected in the manner provided in this paragraph and the gender balance of the membership shall be coordinated among the associations and boards making the appointments so that not more than three members serving under this paragraph at the same time are of the same gender.

(1) One member shall be appointed by the state association of private colleges and universities.

(2) One member shall be appointed jointly by the superintendents of the community colleges created by [chapter 260C](#).

(3) One member shall be appointed jointly by the administrators of the area education agencies created by [chapter 273](#).

(4) One member shall be appointed by the state board of regents.

(5) One member shall be appointed by the state board of education.

2. a. Board members shall serve a three-year term commencing on July 1 of the year of

appointment. A vacancy shall be filled in the same manner as the original appointment for the remainder of the term.

b. Membership on the board does not constitute holding a public office and members shall not be required to take and file oaths of office before serving. A member shall not be disqualified from holding any public office or employment by reason of appointment to the board nor shall a member forfeit an office or employment by reason of appointment to the board.

3. a. The board shall appoint an advisory committee on journalistic and editorial integrity which has no more than a simple majority of members of the same gender.

b. Duties of the advisory committee, and of additional advisory committees the board may from time to time appoint, shall be specified in rules of internal management adopted by the board.

c. Members of advisory committees shall receive actual expenses incurred in performing their official duties.

[93 Acts, ch 48, §39](#); [94 Acts, ch 1184, §22](#); [2006 Acts, ch 1185, §23 – 25](#); [2010 Acts, ch 1069, §70](#); [2023 Acts, ch 64, §37](#)

Subsection 1, paragraph a, subparagraph (3) amended

256.83 Meetings.

1. The board shall elect from among its members a president and a vice president to serve a one-year term. The board shall meet at least four times annually and shall hold special meetings at the call of the president or in the absence of the president by the vice president or by the president upon written request of four members. The board shall establish procedures and requirements relating to quorum, place, and conduct of meetings.

2. Board members shall receive actual expenses incurred in performing their official duties.

[93 Acts, ch 48, §40](#)

256.84 Powers — facilities — rules.

1. The board may purchase, lease, and improve property, equipment, and services for educational telecommunications including the broadcast and narrowcast systems, and may dispose of property and equipment when not necessary for its purposes.

2. The board shall apply for channels, frequencies, licenses, permits, and other authorizations as necessary for the performance of the board's duties.

3. [This section](#) does not prohibit institutions under the state board of regents and community colleges under the department of education from owning, operating, improving, maintaining, and restructuring educational radio and television stations and transmitters now in existence or other educational narrowcast telecommunications systems and services. The institutions and schools may enter into agreements with the board for the lease or purchase of equipment and facilities.

4. The board may locate its administrative offices and production facilities outside the city of Des Moines.

5. The board shall establish guidelines for and may impose and collect fees and charges for services. Fees and charges collected by the board for services shall be deposited to the credit of the division. Any interest earned on these receipts, and revenues generated under [subsection 6](#), shall be retained and may be expended by the division subject to the approval of the board.

6. The board may make and execute agreements, contracts, and other instruments with any public or private entity and may retain revenues generated from these contracts. State departments and agencies, other public agencies, and governmental subdivisions and private entities including but not limited to institutions of higher education and nonpublic schools may enter into contracts and otherwise cooperate with the board.

7. The board may contract with engineers, attorneys, accountants, financial experts, and other advisors upon the recommendation of the administrator. The board may enter into contracts or agreements for such services with local, state, or federal governmental agencies.

8. To preserve the integrity of its editorial processes, the board may select programming,

content partners, and other authorized contractual services without using a competitive selection process or performance measures that may otherwise be required by law for such services. For purposes of [this subsection](#), authorized contractual services are those services related, directly or indirectly, to the development of program production and instructional and educational media. Authorized contractual services include but are not limited to on-air performers, producers or directors, field producers, writers, production assistants, manual laborers, mobile unit services, closed captioning services, duplication of tape services, and satellite services.

9. The board shall approve for submission the annual budget request and any supplementary budget request for the public broadcasting division of the department of education.

10. The board may adopt rules to implement and administer the programs of the division.

11. The decision of the board is final agency action under [chapter 17A](#).

[93 Acts, ch 48, §41](#); [2006 Acts, ch 1185, §26 – 28](#); [2023 Acts, ch 66, §46](#)

Subsection 5 amended

256.85 Purchase of energy efficiency packages. Repealed by 2021 Acts, ch 80, §383.

256.86 Competition with private sector.

1. It is the intent of the general assembly that the division shall not compete with the private sector by actively seeking revenue from its operations except as provided in [this chapter](#).

2. *a.* The division may receive revenue for providing services, products, and usage of facilities and equipment if one or more of the following conditions are met:

(1) The service, product, or usage is not reasonably available in the private sector.

(2) The division can provide the service, product, or usage at a time, price, location, or terms that are not reasonably available through the private sector.

(3) The service, product, or usage is deemed by the division to be related to public service or the educational mission of the division.

b. The division may charge reasonable fees for providing services, products, and usage of facilities and equipment in accordance with paragraph “*a*”, including but not limited to a reasonable equipment and facilities usage fee.

c. Fees charged in accordance with [this subsection](#) shall be deposited in the capital equipment replacement revolving fund created pursuant to [section 256.87](#).

3. It is not the intent of the general assembly to prohibit the receipt of charitable contributions as defined by section 170 of the Internal Revenue Code.

4. The board, the governor, or the administrator may apply for and accept federal or nonfederal gifts, loans, or grants of funds and may use the funds for projects under [this chapter](#).

[93 Acts, ch 48, §43](#); [2012 Acts, ch 1132, §8](#)

256.87 Capital equipment replacement revolving fund.

1. A capital equipment replacement revolving fund is created in the state treasury. The revolving fund shall be administered by the board and shall consist of moneys collected by the division as fees and any other moneys obtained or accepted by the division for deposit in the revolving fund.

2. The board may expend moneys from the capital equipment replacement revolving fund to update facilities and purchase equipment for its operations.

3. Notwithstanding [section 12C.7, subsection 2](#), interest or earnings on moneys in the revolving fund shall be credited to the revolving fund. Notwithstanding [section 8.33](#), moneys in the revolving fund that remain unencumbered or unobligated at the close of the fiscal year shall not revert to any other fund but shall remain available in the revolving fund for the purposes designated.

[93 Acts, ch 48, §44](#); [2012 Acts, ch 1132, §9](#)

Referred to in [§256.86](#)

256.88 Trusts.

Notwithstanding [section 633.63](#), the board may accept and administer trusts and may authorize nonprofit foundations acting solely for the support of educational telecommunications including the broadcast and narrowcast systems to accept and administer trusts deemed by the board to be beneficial to the operation of the educational radio and television facility. The board and the foundations may act as trustees in such instances.

[93 Acts, ch 48, §45](#)

256.89 State plan. Repealed by [2006 Acts, ch 1185, §31](#).

256.90 Narrowcast operations.

1. The board shall not use, permit use, or permit resale of its telecommunications narrowcast system for other than educational purposes. The board, in the establishment and operation of its telecommunications narrowcast system, shall use facilities and services of the private telecommunications industry companies to the greatest extent possible and is prohibited from constructing telecommunications facilities unless comparable facilities are not available from the private telecommunications industry at comparable quality and price.

2. Notwithstanding [chapter 476](#), the provisions of [chapter 476](#) shall not apply to a public utility in furnishing a telecommunications service or facility to the board.

[93 Acts, ch 48, §47](#)

256.91 through 256.94 Reserved.

SUBCHAPTER V

IOWA EDUCATIONAL SERVICES FOR THE BLIND AND VISUALLY IMPAIRED PROGRAM AND IOWA SCHOOL FOR THE DEAF

Referred to in [§256B.2, 331.381](#)

Transfer of property and records of the former Iowa braille and sight saving school, the Iowa school for the deaf, and the hall of fame for distinguished graduates of the former Iowa braille and sight saving school and the Iowa school for the deaf to the department of education; employees of the Iowa school for the deaf to be considered employees of the department of education without loss in salary, benefits, or accrued years of service; [2023 Acts, ch 19, §2514](#)

256.95 Iowa educational services for the blind and visually impaired and Iowa school for the deaf.

The department shall do all of the following:

1. Administer the Iowa educational services for the blind and visually impaired program.
2. Govern the Iowa school for the deaf.
3. Establish a hall of fame for distinguished graduates of the Iowa school for the deaf, distinguished graduates of the Iowa braille and sight saving school, and distinguished participants in the Iowa educational services for the blind and visually impaired program.

[2023 Acts, ch 19, §2479](#)

NEW section

256.96 Iowa educational services for the blind and visually impaired program.

Any resident of the state under twenty-one years of age who is blind or visually impaired shall be entitled to receive the services of the Iowa educational services for the blind and visually impaired program. The department shall coordinate with area education agencies and school districts on the provision of these services for any eligible student.

[R60, §2147, 2148; C73, §1672, 1680; C97, §2715; S13, §2715; C24, 27, 31, 35, 39, §4066; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §269.1]

[94 Acts, ch 1091, §21; 2023 Acts, ch 19, §2500, 2513](#)

C2024, §256.96

Section transferred from [§269.1](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2513](#)
Section stricken and rewritten

256.97 Admission — Iowa school for the deaf.

Any resident of the state less than twenty-one years of age who has a hearing loss which is too severe to acquire an education in the public schools is eligible to attend the Iowa school for the deaf. Nonresidents similarly situated may be admitted to the Iowa school for the deaf upon such terms as may be fixed by the department. The fee for nonresidents shall be set by the department.

[R60, §2156, 2160; C73, §1688, 1689; C97, §2724; S13, §2724; C24, 27, 31, 35, 39, §4070; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §270.3]

[2020 Acts, ch 1045, §19](#); [2020 Acts, ch 1102, §17](#); [2023 Acts, ch 19, §2501, 2513](#)

C2024, §256.97

Section transferred from [§270.3](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2513](#)
Section amended

256.98 Superintendent.

The superintendent of the Iowa school for the deaf shall be a trained and experienced educator of the deaf and hard of hearing. The superintendent's salary may include residence in the institution, but no such allowance shall be made except by express contract in advance.

[C97, §2723; S13, §2727-3a; C24, 27, 31, 35, 39, §4068; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §270.1]

[2020 Acts, ch 1102, §16](#); [2021 Acts, ch 76, §148, 151](#); [2023 Acts, ch 19, §2513](#)

C2024, §256.98

Governed by board of regents, [§262.7](#)

Section transferred from [§270.1](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2513](#)

256.99 Clothing and prescriptions.

The superintendent of the Iowa school for the deaf shall provide students, who would otherwise be without, with clothing or prescription refills, and shall bill the student's parent or guardian, if the student is a minor, or the student if the student has attained the age of majority, for any clothing or prescription refills provided. The bill shall be presumptive evidence in all courts.

[C73, §1695; C97, §2726; S13, §2726; C24, 27, 31, 35, 39, §4071; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §270.4]

[94 Acts, ch 1091, §22](#); [2020 Acts, ch 1045, §20](#); [2023 Acts, ch 19, §2502, 2513](#)

C2024, §256.99

Referred to in [§263.12, 331.424](#)

Section transferred from [§270.4](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2513](#)
Section amended

256.100 Residence during vacation.

The residence of indigent or homeless children may, by order of the department, be continued during vacation months.

[S13, §2727-a; C24, 27, 31, 35, 39, §4075; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §270.8]

[2023 Acts, ch 19, §2503, 2513](#)

C2024, §256.100

Referred to in [§263.12](#)

Section transferred from [§270.8](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2513](#)
Section amended

256.101 Iowa school for the deaf — transportation reimbursement.

Funds appropriated to the Iowa school for the deaf for payments to the parents or guardians of pupils in that institution shall be expended as follows:

1. Transportation reimbursement at a rate established annually by the department to the parents or guardians of children who do not reside in the institution, but are transported to the institution on a daily basis.

2. Transportation reimbursement at a rate established annually by the department to the parents or guardians for transportation from the institution to the residence of the parent or guardian and return to the institution for children who reside in the institution.

[C77, 79, 81, §270.9]

[86 Acts, ch 1246, §131](#); [2020 Acts, ch 1102, §18](#); [2023 Acts, ch 19, §2504, 2513](#)

C2024, §256.101

Section transferred from [§270.9](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2513](#)

Section amended

256.102 Closure requirements.

The department shall not close the Iowa school for the deaf at Council Bluffs until all of the following requirements have been met:

1. The department of management has presented to the general assembly a comprehensive plan, program, and fiscal analysis of the existing circumstances and the circumstances which would prevail upon the proposed closing, together with data which would support the contention that the closing will be more efficient and effective than continuation of the existing facility. The analysis shall include a detailed study of the educational implications of the closing, the impact on the students, and the opinions and research of nationally recognized experts in the field of the education of deaf or hard-of-hearing students. The comprehensive plan shall further include a study relating to the programming, fiscal consequences, and political implications which would result if an agreement under [chapter 28E](#) should be implemented between the Iowa school for the deaf in Council Bluffs and comparable state programs in the state of Nebraska.

2. The general assembly has studied the plans, programs, and fiscal analysis and has reviewed their impact on the programs.

3. The general assembly has enacted legislation authorizing the closing to take effect not sooner than two years after the enactment of the legislation.

[86 Acts, ch 1246, §132](#)

C87, §270.10

[2017 Acts, ch 170, §24](#); [2020 Acts, ch 1102, §19](#); [2023 Acts, ch 19, §2505, 2513](#)

C2024, §256.102

Section transferred from [§270.10](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2513](#)

Section amended

256.103 Employees — contracts — termination and discharge procedures.

[Sections 279.12 through 279.19](#) and [section 279.27](#) apply to employees of the Iowa educational services for the blind and visually impaired program and employees of the Iowa school for the deaf, who are licensed pursuant to [subchapter VII, part 3](#). In following those sections in [chapter 279](#), the references to boards of directors of school districts shall be interpreted to apply to the department.

[2023 Acts, ch 19, §2480](#); [2023 Acts, ch 111, §33](#)

NEW section

256.104 Students residing on state-owned land.

The department shall pay to the local school boards the tuition payments and transportation costs, as otherwise authorized by statutes for the elementary or high school education of students residing on land owned by the state and under the control of the department. Such payments shall be made from moneys appropriated to the department.

[2023 Acts, ch 19, §2481](#)

NEW section

256.105 Transfer of a student to the university of Iowa hospitals and clinics.

The department may send any student of the Iowa school for the deaf to the university of Iowa hospitals and clinics for treatment and care. The department shall pay the traveling expenses of such student, and when necessary the traveling expenses of an attendant for the student, out of funds appropriated for the use of the department.

[2023 Acts, ch 19, §2482](#)

See also [§263.21](#)

NEW section

256.106 Deaf and hard-of-hearing children.

1. *a.* The department shall work with the Iowa school for the deaf, the area education agencies, school districts, and the early hearing detection and intervention program in

the department of health and human services for purposes of coordinating, developing, and disseminating resources for use by parents or guardians, early hearing detection and intervention programs, the Iowa school for the deaf, area education agencies, school districts, and accredited nonpublic schools to inform deaf and hard-of-hearing children's expressive and receptive language acquisition or development.

b. The duties of the department shall, at a minimum, include all of the following:

(1) Coordinating the development and collection of language milestones for each age, from birth through age eight, in American sign language, English, and other languages as needed pursuant to [subsection 3](#), which may include milestone assessments for deaf and hard-of-hearing children.

(2) Coordinating the development and distribution of resources for parents pertaining to language development pursuant to [subsection 4](#).

(3) Coordinating the development and distribution of resources for early interventionists, educators, hospitals, and health care providers pertaining to language development.

(4) Monitoring the need for valid and reliable language assessments and distribution of resources toward language development in American sign language and English.

(5) Coordinating a parent-friendly procedure for outreach and follow-up.

(6) Coordinating the collection of regular language milestone assessment data for deaf and hard-of-hearing children.

(7) Summarizing data outcomes for parents, guardians, and partner agencies to use, including the annual report published pursuant to [subsection 7](#).

(8) Working with stakeholders to maintain a valid and reliable two-fold language assessment approach, utilizing both American sign language and English, in selecting milestones, compiling data, employing qualified personnel, and distributing resources.

2. The parent resource developed pursuant to [subsection 1](#) shall meet all of the following requirements:

a. Include American sign language and English language developmental milestones selected under [subsection 1](#).

b. Be appropriate for use, in both content and administration, with deaf and hard-of-hearing children from birth through age eight who use American sign language or English, or both.

c. Present the language developmental milestones in terms of typical development of all children from birth through age eight, by age range.

d. Be written for clarity and ease of use by parents and guardians.

e. Be aligned to the department of education's existing infant, toddler, and preschool guidelines, standards for evaluating eligibility and progress for early intervention or special education under federal law, and state standards in English language arts.

f. Clearly specify that the parent resource is not a formal assessment of language and literacy development, and that the observations of a child by the child's parent or guardian may differ from formal assessment data presented at an individualized family service plan or individualized education program meeting.

g. Clearly specify that a parent or guardian may bring the parent resource to an individualized family service plan or individualized education program meeting for purposes of sharing the parent's or guardian's observations regarding the child's development.

3. The department, in consultation with the Iowa school for the deaf, the area education agencies, school districts, and the early hearing detection and intervention program in the department of health and human services, shall select existing tools or assessments that may be used by qualified educators to assess American sign language and English language and literacy development of deaf and hard-of-hearing children from birth through age eight.

a. Educator tools or assessments selected under [this subsection](#) shall meet the following criteria:

(1) Be in a format that shows stages of language development.

(2) Be selected for use by educators to track the development of deaf and hard-of-hearing children's expressive and receptive language acquisition or developmental stages toward American sign language and English literacy.

(3) Be appropriate in both content and administration for use with deaf and hard-of-hearing children.

b. Educator tools or assessments selected under [this subsection](#) may be used, in addition to any assessment required by federal law, by the child's individualized family service plan or individualized education program team, as applicable, to track deaf and hard-of-hearing children's progress in improving expressive and receptive language skills, and to establish or modify individualized family service plans or individualized education programs.

4. The department shall disseminate the parent resource developed pursuant to [this section](#) to parents and guardians of deaf and hard-of-hearing children and, consistent with federal law, shall disseminate the educator tools and assessments selected pursuant to [subsection 3](#) to early hearing detection and intervention programs, area education agencies, school districts, accredited nonpublic schools, and the Iowa school for the deaf for use in the development and modification of individualized family service or individualized education program plans, and shall provide materials and training on the use of such materials to assist deaf and hard-of-hearing children in kindergarten readiness using American sign language or English, or both, from birth through age eight.

5. a. If moneys are appropriated by the general assembly for a fiscal year for the purpose provided in [this subsection](#), the department shall develop guidelines for a comprehensive family support mentoring program that meets the language and communication needs of families.

b. The department shall work with the early hearing detection and intervention program in the department of health and human services, the Iowa school for the deaf, and the area education agencies when developing the guidelines. The department, in consultation with the Iowa school for the deaf, shall administer the family support mentoring program for deaf or hard-of-hearing children.

c. With the consent of the parent of the deaf or hard-of-hearing child, the family support mentoring program shall pair families based on the specific need, experience, or want of the parent of the deaf or hard-of-hearing child with another family mentor or deaf or hard-of-hearing adult mentor to provide support.

d. In establishing the family support mentoring program, the department may do all of the following:

(1) Hire a family support mentoring coordinator.

(2) Utilize the parent resource created in [subsection 2](#) as well as other resources to provide families with information and guidance on language, communication, social, and emotional development of their child.

(3) Recruit family support mentors to serve the needs of the family support mentoring program. A family support mentor may be any of the following:

(a) A parent who has experience raising a child who is deaf or hard of hearing and who has experience supporting the child's communication and language development.

(b) A deaf or hard-of-hearing adult who serves as a deaf or hard-of-hearing role model for the children and their families. Deaf or hard-of-hearing family support mentors may provide parents with an understanding of American sign language and English, including instructional philosophies for both, such as bilingual bimodal, listening and spoken language, total communication, and other philosophies, as well as other forms of communication, deaf culture, deaf community, and self-identity.

(4) Train parents of a deaf or hard-of-hearing child to become family support mentors and train deaf or hard-of-hearing adults to become deaf or hard-of-hearing adult family support mentors.

(5) Reach out to parents of children identified through the early hearing detection and intervention program in the department of health and human services and share information about the family support mentoring program services available to such parents.

(6) Reach out to families referred by primary care providers, the area education agencies, and from other agencies who provide services to deaf or hard-of-hearing children.

(7) Provide follow-up contact, as necessary, to establish services after initial referral.

e. The department shall coordinate family support mentoring activities with the early hearing detection and intervention program in the department of health and human services,

the Iowa school for the deaf, the area education agencies, and nonprofit organizations that provide family support mentoring to parents with deaf or hard-of-hearing children.

f. The department of education shall adopt rules pursuant to [chapter 17A](#) to administer [this subsection](#).

6. All activities of the department of education in implementing [this section](#) shall be consistent with federal law for the education of children from birth through age eight.

7. The department shall annually compile, and publish on the department's internet site, a report using existing data reported in compliance with the state performance plan on pupils with disabilities, required under federal law, that is specific to language and literacy development in deaf and hard-of-hearing children from birth through age eight, including those children who are deaf or hard of hearing and have other disabilities, relative to the children's peers who are not deaf or hard of hearing.

8. For purposes of [this section](#), unless the context otherwise requires:

a. "English" includes spoken English, written English, or English with the use of visual supplements.

b. "Federal law" means the federal Individuals with Disabilities Education Act, as amended by the federal Individuals with Disabilities Improvement Act, Pub. L. No. 108-446, 20 U.S.C. §1400 et seq., as amended.

[2022 Acts, ch 1094, §1](#)

C2023, §256B.10

[2023 Acts, ch 19, §994 – 998, 2486 – 2491, 2513](#)

C2024, §256.106

See Code editor's note on simple harmonization at the beginning of this Code volume

Section transferred from [§256B.10](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2513](#)

Subsection 1, paragraph a amended

Subsection 1, paragraph b, unnumbered paragraph 1 amended

Subsection 3, unnumbered paragraph 1 amended

Subsections 4 and 7 amended

Subsection 5, paragraphs a, b, and e amended

Subsection 5, paragraph d, unnumbered paragraph 1 amended

Subsection 5, paragraph d, subparagraph (5) amended

256.107 Administrative rules.

The state board shall adopt rules pursuant to [chapter 17A](#) to administer [this subchapter](#).

[2023 Acts, ch 19, §2483](#)

NEW section

256.108 through 256.110 Reserved.

SUBCHAPTER VI

INNOVATION DIVISION

256.111 Innovation division — science, technology, engineering, and mathematics collaborative initiative.

1. The innovation division of the department of education is created. The chief administrative officer of the division is the administrator who shall be a highly qualified science, technology, engineering, and mathematics advocate and shall be appointed by the director.

2. The administrator shall do all of the following:

a. Direct and organize the activities of the division, including the science, technology, engineering, and mathematics collaborative initiative created in [subsection 3](#).

b. Control all property of the division.

c. Perform other duties imposed by law.

3. A science, technology, engineering, and mathematics collaborative initiative is established within the innovation division for purposes of supporting activities directly related to recruitment of prekindergarten through grade twelve mathematics and science

teachers for ongoing mathematics and science programming for students enrolled in prekindergarten through grade twelve.

4. The collaborative initiative shall prioritize student interest in achievement in science, technology, engineering, and mathematics; reach every student and teacher in every school district in the state; identify, recruit, prepare, and support the best mathematics and science teachers; and sustain exemplary programs. The innovation division shall collaborate with the community colleges to develop science, technology, engineering, and mathematics professional development programs for community college instructors and for purposes of science, technology, engineering, and mathematics curricula development.

5. Subject to an appropriation of moneys by the general assembly, the innovation division shall administer the following:

a. Regional science, technology, engineering, and mathematics networks for Iowa, the purpose of which is to equalize science, technology, engineering, and mathematics education enrichment opportunities available to learners statewide. The innovation division shall establish six geographically similar regional science, technology, engineering, and mathematics networks across Iowa that complement and leverage existing resources, including extension service assets, area education agencies, state accredited postsecondary institutions, informal educational centers, school districts, economic development zones, and existing public and private science, technology, engineering, and mathematics partnerships. Each network shall be managed by a highly qualified science, technology, engineering, and mathematics advocate positioned at a network hub to be determined through a competitive application process. Oversight for each regional network shall be provided by a regional advisory board. Members of the board shall be appointed by the governor. The membership shall represent prekindergarten through grade twelve school districts and schools, and higher education, business, nonprofit organizations, youth agencies, and other appropriate stakeholders.

b. A focused array of the best science, technology, engineering, and mathematics enrichment opportunities, selected through a competitive application process, that can be expanded to meet future needs. A limited, focused list of selected exemplary programs shall be made available to each regional network.

c. Statewide science, technology, engineering, and mathematics programming designed to increase participation of students and teachers in successful learning experiences; to increase the number of science, technology, engineering, and mathematics-related teaching majors offered by the state's universities; to elevate public awareness of the opportunities; and to increase collaboration and partnerships.

6. The innovation division shall evaluate the effectiveness of programming to document best practices.

7. The state board shall adopt rules pursuant to [chapter 17A](#) to administer [this section](#).

[2012 Acts, ch 1132, §12](#)

[C2013, §268.7](#)

[2023 Acts, ch 19, §2515, 2516](#)

[C2024, §256.111](#)

Transfer of property and records of the former science, technology, engineering, and mathematics collaborative initiative from the state board of regents or the university of northern Iowa to the department of education; employees of the science, technology, engineering, and mathematics collaborative initiative formerly established at the university of northern Iowa whose primary workplace is located at the university of northern Iowa to be considered employees of the innovation division of the department of education without loss in salary, benefits, or accrued years of service; continuation of contracts and application of funds; [2023 Acts, ch 19, §2517](#)

Section transferred from [§268.7](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2516](#)

Section amended

256.112 through 256.120 Reserved.

SUBCHAPTER VII
HIGHER EDUCATION DIVISION

PART 1
GENERAL PROVISIONS

256.121 Higher education division created.

1. The higher education division of the department of education is created. The chief administrative officer of the division is the administrator who shall be appointed by the director.

2. The administrator shall do all of the following:

a. Administer and coordinate all of the following bureaus, boards, and commissions within the higher education division:

(1) The community colleges and post-secondary readiness bureau under [part 2](#).

(2) The board of educational examiners under [part 3](#).

(3) The college student aid commission under [part 4](#).

(4) The community colleges bureau under [chapter 260C](#).

b. Direct and organize the activities of the division.

c. Control all property of the division.

d. Hire and control the personnel employed by the division.

e. Perform other duties imposed by law.

[2023 Acts, ch 19, §2521](#)

NEW section

256.122 through 256.124 Reserved.

PART 2
COMMUNITY COLLEGES AND POST-SECONDARY READINESS BUREAU

Referred to in [§256.7](#), [256.11](#), [256.121](#), [257.51](#), [260C.14](#), [598.21B](#)

Continuation of contracts and employee salaries, benefits, and credit for accrued years of service; [2023 Acts, ch 19, §2536](#)

256.125 Definitions.

As used in [this part](#):

1. “*Approved career and technical education program*” means a career and technical education program offered by a school district or community college and approved by the department which meets the standards for career and technical education programs adopted by the state board under [this part](#).

2. “*Approved practitioner preparation school, department, or class*” means a school, department, or class approved by the state board as entitled under [this part](#) to federal moneys for the training of teachers of career and technical education subjects.

3. “*Approved regional career and technical education planning partnership*” means a regional entity that meets the standards for regional career and technical education planning partnerships adopted by the state board pursuant to [section 256.129](#) and [section 256.136](#).

4. “*Career academy*” means a career academy established under [section 256.137](#).

5. “*Career and technical education service area*” means any one of the service areas specified in [section 256.11, subsection 5](#), paragraph “h”.

6. “*Sector partnership*” means a regional industry sector partnership established pursuant to [section 84A.15](#).

7. “*State board*” means the state board for career and technical education as provided in [section 256.127](#).

8. “*Work-based learning*” means opportunities and experiences that include but are not

limited to tours, job shadowing, rotations, mentoring, entrepreneurship, service learning, internships, and apprenticeships.

9. “*Work-based learning intermediary network*” means the statewide work-based learning intermediary network established pursuant to [section 84A.16](#).

[C24, 27, 31, 35, 39, §3842; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §258.6]
[89 Acts, ch 265, §33](#); [2014 Acts, ch 1092, §58](#); [2016 Acts, ch 1108, §41](#); [2017 Acts, ch 29, §68](#)
 – [70](#); [2023 Acts, ch 19, §2529, 2535](#); [2023 Acts, ch 111, §34](#)

C2024, §256.125

Referred to in [§256.130, 260C.18A, 261E.10](#)

Section transferred from §258.6 in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2535](#)

Section amended

256.126 Federal Act accepted.

The provisions of the Act of Congress known as the Carl D. Perkins Career and Technical Education Improvement Act of 2006, codified at 20 U.S.C. §2301 et seq., as amended, and the benefit of all funds appropriated under said Act and all other Acts pertaining to career and technical education, are accepted.

[C24, 27, 31, 35, 39, §3837; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §258.1]

[2006 Acts, ch 1030, §33](#); [2016 Acts, ch 1108, §36](#); [2023 Acts, ch 19, §2535](#)

C2024, §256.126

Section transferred from [§258.1](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2535](#)

256.127 State board for career and technical education.

The state board of education shall constitute the state board for career and technical education.

[C24, 27, 31, 35, 39, §3838; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §258.2]

[2016 Acts, ch 1108, §37](#); [2017 Acts, ch 29, §65](#); [2023 Acts, ch 19, §2535](#)

C2024, §256.127

Referred to in [§256.125](#)

Section transferred from [§258.2](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2535](#)

256.128 Community colleges and post-secondary readiness bureau — personnel.

The director of the department shall appoint the bureau chief of the community colleges and post-secondary readiness bureau, and the bureau chief shall direct the work of personnel as necessary to carry out [this part](#).

[C24, 27, 31, 35, 39, §3839; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §258.3]

[85 Acts, ch 212, §21](#); [86 Acts, ch 1245, §1425](#); [2023 Acts, ch 19, §2526, 2535](#)

C2024, §256.128

Section transferred from [§258.3](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2535](#)

Section amended

256.129 Duties of state board.

The state board shall do all of the following:

1. Approve the multiyear state plan developed in accordance with applicable federal laws and regulations governing career and technical education.

2. Adopt rules prescribing standards for teachers in the six career and technical education service areas specified in [section 256.11, subsection 5](#), paragraph “h”, in approved programs.

3. Adopt rules prescribing standards for approval of school district career and technical education programs; and community colleges with career and technical education programs; and practitioner preparation schools, departments, and classes, applying for federal and state moneys under [this part](#).

4. Adopt rules prescribing standards for the career and technical education service areas specified in [section 256.11, subsection 5](#), paragraph “h”.

5. Adopt rules prescribing standards for approval of career and technical education planning partnerships, collaborations, and regional centers in accordance with [section 256.136](#). The rules shall establish a process for the establishment of no fewer than twelve and no greater than fifteen regions in which regional career and technical education planning partnerships may operate. The rules shall establish standards to ensure regional centers have appropriate educational programs, adequate participation, and are located

within an appropriate distance of participating high schools and in a manner compatible with development of a statewide network of regional centers.

86 Acts, ch 1245, §1426

C87, §258.3A

89 Acts, ch 265, §30; 90 Acts, ch 1253, §8; 2016 Acts, ch 1108, §38; 2017 Acts, ch 29, §66; 2023 Acts, ch 19, §2527, 2535

C2024, §256.129

Referred to in §256.125, 256.130, 256.131, 256.136

Section transferred from §258.3A in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2535

Subsection 3 amended

256.130 Duties of director.

The director of the department of education shall do all of the following:

1. Develop and submit to the state board for approval the multiyear state plan developed in accordance with federal laws and regulations governing career and technical education.

2. Provide for making studies and investigations relating to career and technical education.

3. Promote and aid in the establishment of career and technical education programs in local communities, school districts, and community colleges.

4. Cooperate with local communities, school districts, and community colleges in the maintenance of career and technical education programs.

5. Make recommendations to the board of educational examiners relating to the enforcement of rules prescribing standards for teachers of career and technical education service areas.

6. Cooperate in the maintenance of practitioner preparation schools, departments, and classes, supported and controlled by the public, for the training of career and technical education teachers and supervisors.

7. Review and approve career and technical education programs to ensure that the programs meet standards adopted by the state board pursuant to [section 256.129](#). The director shall annually review at least twenty percent of the approved career and technical programs as a basis for continuing approval to ensure that the programs meet board standards and are compatible with educational reform efforts, are capable of responding to technological change and innovation, and meet the educational needs of students and the employment community. The review shall include an assessment of the extent to which the competencies in the program are being mastered by the students enrolled, the costs are proportionate to educational benefits received, the career and technical education curriculum is articulated and integrated with other curricular offerings required of all students, the programs would permit students with career and technical education backgrounds to pursue other educational interests in a postsecondary institutional setting, and the programs remove barriers for both traditional and nontraditional students to access educational and employment opportunities.

8. Facilitate the process established by the state board for the implementation of a statewide system of regional career and technical education planning partnerships that utilize the services of local school districts, community colleges, sector partnerships, and other resources to assist local school districts in meeting career and technical education standards while avoiding unnecessary duplication of services. The director shall also review and approve regional planning partnerships and regional centers to ensure that the partnerships and centers meet the standards adopted by the state board pursuant to [section 256.129, subsection 5](#).

9. Enforce rules adopted by the state board pursuant to [section 256.129](#).

10. Notwithstanding the accreditation process contained in [section 256.11](#), permit school districts that provide a program which does not meet the standards for accreditation for career and technical education to cooperate with the regional career and technical education planning partnership and contract for an approved program under [this part](#) without losing accreditation. A school district that fails to cooperate with the regional career and technical education planning partnership and contract for an approved program shall, however, be subject to [section 256.11](#).

11. Prescribe standards and procedures for the approval of career academies as defined in [section 256.125](#).

[C24, 27, 31, 35, 39, §3840; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §258.4]
[86 Acts, ch 1245, §1427](#); [89 Acts, ch 265, §31](#); [89 Acts, ch 278, §3, 4](#); [90 Acts, ch 1253, §9](#); [92 Acts, ch 1198, §2](#); [2016 Acts, ch 1108, §39](#); [2017 Acts, ch 29, §67](#); [2023 Acts, ch 19, §2528, 2535](#)
 C2024, §256.130
 Referred to in [§256.132, 256.137](#)
 Section transferred from [§258.4](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2535](#)
 Subsection 10 amended

256.131 Reimbursement from federal and state moneys.

1. An approved regional career and technical education planning partnership is eligible to receive state funds for purposes allowed under [section 256.136, subsection 6](#).

2. Federal funds received as a reimbursement for allowable expenditures shall be received pursuant to the multiyear state plan adopted pursuant to [section 256.129, subsection 1](#).

3. The director may use federal funds to reimburse approved practitioner preparation schools, departments, or classes for the training of teachers of agriculture, food, and natural resources; arts, communications, and information systems; applied sciences, technology, engineering, and manufacturing; health sciences; human services; and business, finance, marketing, and management. The director may also use such funds to reimburse approved practitioner preparation schools, departments, or classes for the training of guidance counselors.

[C24, 27, 31, 35, 39, §3841, 3844; C46, 50, §258.5, 258.8; C54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §258.5]
[86 Acts, ch 1245, §1428](#); [89 Acts, ch 265, §32](#); [2016 Acts, ch 1108, §40](#); [2018 Acts, ch 1130, §2, 4](#); [2023 Acts, ch 19, §2535](#)
 C2024, §256.131
 Section transferred from [§258.5](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2535](#)

256.132 Local advisory council.

1. The board of directors of a school district or community college that maintains a career and technical education program receiving federal or state funds under [this part](#) shall, as a condition of approval by the state board, appoint a local advisory council for each career and technical education program offered by the school district or community college. However, a school district and a community college that maintain a career and technical education program receiving federal or state funds may create a joint local advisory council. The membership of each local advisory council shall consist of public members with expertise in the occupation or occupational field related to the career and technical education program. The local advisory council shall give advice and assistance to the board of directors, administrators, and instructors in the establishment and maintenance of the career and technical education program.

2. Notwithstanding [subsection 1](#), a regional advisory council established by a regional career and technical education planning partnership approved by the department pursuant to [section 256.130](#) may serve in place of a local advisory council.

3. Local advisory councils are not subject to the requirements of [section 69.16](#).

4. Members of an advisory council shall serve without compensation.

[C24, 27, 31, 35, 39, §3845; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §258.9]
[86 Acts, ch 1245, §1431](#); [2016 Acts, ch 1108, §42](#); [2017 Acts, ch 29, §71](#); [2023 Acts, ch 19, §2530, 2535](#)
 C2024, §256.132
 Section transferred from [§258.9](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2535](#)
 Subsection 1 amended

256.133 Powers of district boards.

1. The board of directors of a school district shall offer career and technical instruction in service areas as provided in [section 256.11, subsection 5](#), paragraph “h”, and pay the expense of such instruction in the same way as the expenses for other subjects in the school district are paid.

2. The board of directors of a school district may establish and maintain work-based learning programs in collaboration with a regional work-based learning intermediary network established pursuant to [section 84A.16](#).

3. The board of directors of a school district may provide workers' compensation coverage by insuring, or self-insuring as provided in [section 87.4](#), students participating in unpaid work-based learning opportunities offered in accordance with [section 84A.16](#). A school district's liability to students injured while participating in an unpaid work-based learning opportunity is as provided in [section 85.20](#).

[C24, 27, 31, 35, 39, §3846; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §258.10]

97 Acts, ch 37, §6; 2016 Acts, ch 1108, §43; 2023 Acts, ch 19, §2535

C2024, §256.133

Section transferred from [§258.10](#) in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2535

256.134 Salary and expenses for administration.

The director may make expenditures for salaries and other expenses as necessary to the proper administration of [this part](#).

[C24, 27, 31, 35, 39, §3847; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §258.11]

86 Acts, ch 1245, §1432; 88 Acts, ch 1134, §60; 2016 Acts, ch 1108, §44; 2023 Acts, ch 19, §2531, 2535

C2024, §256.134

Section transferred from [§258.11](#) in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2535

Section amended

256.135 Custodian of funds.

The treasurer of state shall be custodian of the funds paid to the state from the appropriations made under the federal Carl D. Perkins Career and Technical Education Improvement Act of 2006, 20 U.S.C. §2301 et seq., as amended, and shall disburse the same on vouchers audited as provided by law.

[C24, 27, 31, 35, 39, §3848; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §258.12]

2013 Acts, ch 88, §8; 2014 Acts, ch 1092, §59; 2016 Acts, ch 1108, §45; 2017 Acts, ch 29, §72; 2023 Acts, ch 19, §2535

C2024, §256.135

Section transferred from [§258.12](#) in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2535

256.136 Regional career and technical education planning partnerships.

1. Regional career and technical education planning partnerships are established to assist school districts in providing an effective, efficient, and economical means of delivering high-quality secondary career and technical education programs. Regional career and technical education planning partnerships shall do all of the following:

a. Provide for the active participation of local school districts and community colleges in the delivery of career and technical education in the region.

b. Provide for the participation of representatives of business and industry and representatives of sector partnerships and community stakeholders.

c. Promote career and college readiness through thoughtful career guidance and purposeful academic and technical planning practices.

d. Promote high-quality, integrated career and technical education programming, including career academies, comprised of secondary exploratory and transitory coursework to prepare students for higher-level, specialized academic and technical training aligned with labor market needs.

e. Afford students the opportunity to access a spectrum of high-quality work-based learning experiences through collaboration with a work-based learning intermediary network.

f. Provide for increased and equitable access to high-quality career and technical education programs through the planning and development of a system of regional centers.

2. Regional career and technical education planning partnerships shall be established in accordance with [section 256.129, subsection 5](#), to serve each community college and all of the school districts in the state no later than June 30, 2017.

3. A regional career and technical education planning partnership shall be responsible for the following activities:

a. Ensuring compliance with standards adopted by the state board under [section 256.129, subsection 5](#), for regional career and technical education planning partnerships.

b. Developing a multiyear plan addressing the delivery of quality career and technical education programs by school districts in fulfillment of the requirements of [section 256.11, subsection 4](#), and [section 256.11, subsection 5](#), paragraph “h”. The plan shall be updated annually.

c. Securing collaboration with secondary schools, postsecondary educational institutions, and employers to ensure the creation of high-quality career and technical education programming, including career academies, for students that aligns career guidance, twenty-first century career and technical education and academic curricula, and work-based learning opportunities that empower students to be successful learners and practitioners.

d. Reviewing career and technical education programs of school districts within the region based on standards adopted by the state board, and recommending to the department career and technical education programs for approval.

e. Coordinating and facilitating local advisory councils for career and technical education programs. As necessary, establishing regional advisory councils to serve in the same capacity as local advisory councils.

f. Planning for regional centers with the purpose of achieving equitable access to high-quality career and technical education programming and concurrent enrollment opportunities for all students. As a condition for approval, a regional center shall comply with standards adopted by the state board and shall consist of a minimum of four career academies. A regional center shall be compatible with development of a statewide system of regional centers serving all students. A regional center shall serve either of the following:

(1) A combined minimum of one hundred twenty students from no fewer than two school districts.

(2) A minimum of four school districts.

g. Meeting regularly.

4. The membership of each regional career and technical education planning partnership shall consist of stakeholders in a position to contribute to the development and successful implementation of high-quality career and technical education programs and shall include but not be limited to the following:

a. The superintendent of a school district within the regional planning partnership, or the superintendent’s designee.

b. The president of a community college within the regional planning partnership, or the president’s designee.

c. The chief administrator of an area education agency within the regional planning partnership, or the chief administrator’s designee.

d. Representatives of a regional work-based learning intermediary network.

e. Representatives of regional economic and workforce entities including local workforce development boards established under [section 84A.4](#).

f. Representatives of business and industry, including representatives of regional industry sector partnerships established pursuant to [section 84A.15](#).

g. Career and technical education teachers and faculty.

5. Convening the regional career and technical education planning partnership shall be the joint responsibility of the area education agency and community college located within the region. In convening the regional career and technical education planning partnership, the area education agency and the community college shall include stakeholders from each member district of the partnership.

6. A regional career and technical education partnership may use funds received from state and federal sources on behalf of school districts and community colleges participating in the regional career and technical education planning partnership to convene, lead, and staff the regional career and technical education planning partnership; to offer regional career and technical education professional development opportunities; to coordinate and maintain a career guidance system pursuant to [section 279.61](#); to purchase career and

technical education equipment; and to purchase standard classroom consumable supplies other than consumable supplies that will be made into products to be sold or used personally by students, teachers, and other persons.

2016 Acts, ch 1108, §46

C2017, §258.14

2017 Acts, ch 29, §73 – 75; 2018 Acts, ch 1130, §3, 4; 2023 Acts, ch 19, §2535

C2024, §256.136

Referred to in §256.125, 256.129, 256.131, 256.137, 282.7

Section transferred from §258.14 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2535

256.137 Career academy.

1. A career academy may be established under an agreement between a single school district and a community college, or by multiple school districts and a community college organized into a regional career and technical education planning partnership pursuant to [section 256.136](#). A career academy established under [this section](#) shall be a career-oriented or occupation-oriented program of study that includes a minimum of two years of secondary education, which may fulfill the sequential unit requirement in one of the four service areas required under [section 256.11, subsection 5](#), paragraph “h”, is articulated with a postsecondary education program, and is approved by the director under [section 256.130](#). A career academy shall do all of the following:

a. Utilize regional career and technical education planning partnerships outlined in [section 256.136](#) in an advisory capacity to inform the selection and design of the career academy and establishment of industry standards.

b. Establish a program of study that meets all of the following criteria:

(1) Is designed to meet industry standards and prepare students for success in postsecondary education and the workforce.

(2) Integrates academic coursework, includes work-based learning, and utilizes the individual career and academic planning process established under [section 279.61](#).

(3) Allows students enrolled in the academy an opportunity to continue on to an associate degree and, if applicable, a postsecondary baccalaureate degree program.

2. The state board, in consultation with the division of community colleges of the department, shall adopt rules setting minimum standards for the development and implementation of career academies under [this section](#) and ensuring compliance with the federal Carl D. Perkins Career and Technical Education Improvement Act of 2006, 20 U.S.C. §2301 et seq., as amended.

2016 Acts, ch 1108, §47

C2017, §258.15

2017 Acts, ch 29, §76; 2023 Acts, ch 19, §2535

C2024, §256.137

Referred to in §256.125, 257.51

Section transferred from §258.15 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2535

256.138 through 256.144 Reserved.

PART 3

BOARD OF EDUCATIONAL EXAMINERS

Referred to in §20.17, 20.19, 20.20, 256.7, 256.9, 256.11, 256.16, 256.41, 256.43, 256.103, 256.121, 256.176, 256.220, 256C.3, 256E.7, 257.11, 260C.48, 261E.4, 261H.2, 272C.15, 273.3, 279.19B, 279.72, 279.73, 284.2, 284.10, 284.15, 284.16, 284A.2, 284A.6, 284A.7, 299A.2, 622.10, 709.15, 714.19

Continuity of licenses, certificates, or authorization issued by board of educational examiners under former [chapter 272](#) prior to July 1, 2023; use of federal funds to employ personnel necessary for program administration; 2023 Acts, ch 19, §2604

256.145 Definitions.

As used in [this part](#), unless the context otherwise requires:

1. “*Administrator*” means a person who is licensed to coordinate, supervise, or direct an educational program or the activities of other practitioners.

2. “*Board*” means the board of educational examiners.
3. “*Certificate*” means limited recognition to perform instruction and instruction-related duties in school, other than those duties for which practitioners are licensed. A certificate is nonexclusive recognition and does not confer the exclusive authority of a license.
4. “*License*” means the authority that is given to allow a person to legally serve as a practitioner, a school, an institution, or a course of study to legally offer professional development programs, other than those programs offered by practitioner preparation schools, institutions, courses of study, or area education agencies. A license is the exclusive authority to perform these functions.
5. “*Offense directly relates*” refers to either of the following:
 - a. The actions taken in furtherance of an offense are actions customarily performed within the scope of practice of a licensed profession.
 - b. The circumstances under which an offense was committed are circumstances customary to a licensed profession.
6. “*Para-educator*” means a person who is certified to assist a teacher in the performance of instructional tasks to support and assist classroom instruction and related school activities.
7. “*Practitioner*” means an administrator, teacher, or other licensed professional, including an individual who holds a statement of professional recognition, who provides educational assistance to students.
8. “*Practitioner preparation program*” means a program approved by the state board of education which prepares a person to obtain a license as a practitioner.
9. “*Principal*” means a licensed member of a school’s instructional staff who serves as an instructional leader, coordinates the process and substance of educational and instructional programs, coordinates the budget of the school, provides formative evaluation for all practitioners and other persons in the school, recommends or has effective authority to appoint, assign, promote, or transfer personnel in a school building, implements the local school board’s policy in a manner consistent with professional practice and ethics, and assists in the development and supervision of a school’s student activities program.
10. “*Professional development program*” means a course or program which is offered by a person or agency for the purpose of providing continuing education for the renewal or upgrading of a practitioner’s license.
11. “*School*” means a school under [section 280.2](#), an area education agency, and a school operated by a state agency for special purposes.
12. “*School administration manager*” means a person who is authorized to assist a school principal in performing noninstructional administrative duties.
13. “*School service personnel*” means those persons holding a practitioner’s license who provide support services for a student enrolled in school or to practitioners employed in a school.
14. “*Student*” means a person who is enrolled in a course of study at a school or practitioner preparation program, or who is receiving direct or indirect assistance from a practitioner.
15. “*Superintendent*” means an administrator who promotes, demotes, transfers, assigns, or evaluates practitioners or other personnel, and carries out the policies of a governing board in a manner consistent with professional practice and ethics.
16. “*Teacher*” means a licensed member of a school’s instructional staff who diagnoses, prescribes, evaluates, and directs student learning in a manner which is consistent with professional practice and school objectives, shares responsibility for the development of an instructional program and any coordinating activities, evaluates or assesses student progress before and after instruction, and who uses the student evaluation or assessment information to promote additional student learning.
17. “*Work-based learning program supervisor*” means a person who is certified pursuant to [section 256.161](#) to supervise students’ opportunities and experiences related to workplace tours, job shadowing, rotations, mentoring, entrepreneurship, service learning, internships, and apprenticeships.

[C97, §2628; C24, 27, 31, 35, 39, §3858; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §260.1] [89 Acts, ch 265, §1](#); [90 Acts, ch 1249, §4](#)

C93, §272.1

98 Acts, ch 1216, §22; 2000 Acts, ch 1098, §2, 3; 2002 Acts, ch 1047, §10, 20; 2008 Acts, ch 1008, §1; 2012 Acts, ch 1119, §25; 2020 Acts, ch 1103, §21, 31; 2022 Acts, ch 1134, §4; 2023 Acts, ch 19, §2560, 2603

C2024, §256.145

Referred to in §256.44, 256.219, 256E.7, 256F.7, 261B.3A, 263.1, 266.2, 279.78, 284.15, 284.16
Section transferred from §272.1 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2603
Section amended

256.146 Board of examiners created.

The board is created within the higher education division of the department of education to exercise the exclusive authority to:

1. a. License practitioners, which includes the authority to do all of the following:

(1) Establish criteria for the licenses.

(2) Establish issuance and renewal requirements, provided that a continuing education requirement may be completed by electronic means, and there shall be no renewal requirement for a practitioner who has been employed as a practitioner for at least ten years and who possesses a master's or doctoral degree, unless the practitioner holds an evaluator approval endorsement, which must be renewed at least once every ten years.

(3) Create application and renewal forms.

(4) Create licenses that authorize different instructional functions or specialties.

(5) Develop a code of professional rights and responsibilities, practices, and ethics, which shall, among other things, address all of the following:

(a) The failure of a practitioner to fulfill contractual obligations under [section 279.13](#). In addressing the failure of a practitioner to fulfill contractual obligations, the board shall consider factors beyond the practitioner's control.

(b) The failure of an administrator to protect the safety of staff and students.

(c) The failure of an administrator to meet mandatory reporter obligations.

(d) The refusal of a practitioner to implement provisions of an individualized education program or behavioral intervention plan.

(e) Habitual nonparticipation in professional development.

(f) The development of any other classifications, distinctions, and procedures which may be necessary to exercise licensing duties.

b. Provide annually to any person who holds a license, certificate, authorization, or statement of recognition issued by the board, training relating to the knowledge and understanding of the board's code of professional conduct and ethics. The board shall develop a curriculum that addresses the code of professional conduct and ethics and shall annually provide regional training opportunities throughout the state.

c. Rules adopted pursuant to [this subsection](#) establishing licensure renewal requirements shall provide that up to half of the units needed for licensure renewal may be earned upon the successful completion of an individualized professional development plan as verified by the supervising licensed evaluator, or by successful completion of professional development courses or programs offered by a professional development program licensed by the board, or by a practitioner preparation institution or area education agency approved by the state board of education.

2. Establish, collect, and refund fees for a license.

3. Enter into reciprocity agreements with other equivalent state boards or a national certification board to provide for licensing of applicants from other states or nations.

4. Enforce rules adopted by the board through revocation or suspension of a license, or by other disciplinary action against a practitioner or professional development program licensed by the board. The board shall designate who may or shall initiate a licensee disciplinary investigation and a licensee disciplinary proceeding, and who shall prosecute a disciplinary proceeding and under what conditions, and shall state the procedures for review by the board of findings of fact if a majority of the board does not hear the disciplinary proceeding. However, in a case alleging failure of a practitioner to fulfill contractual obligations, the person who files a complaint with the board, or the complainant's designee, shall represent the complainant in a disciplinary hearing conducted in accordance with [this part](#).

5. Apply for and receive federal or other funds on behalf of the state for purposes related to its duties.

6. Evaluate and conduct studies of board standards.

7. Hear appeals regarding application, renewal, suspension, or revocation of a license. Board action is final agency action for purposes of [chapter 17A](#).

8. Establish standards for the determination of whether an applicant is qualified to perform the duties required for a given license.

9. Issue statements of professional recognition to school service personnel who have attained a minimum of a baccalaureate degree and who are licensed by another professional licensing board, including but not limited to athletic trainers licensed under [chapter 152D](#).

10. Make recommendations to the state board of education concerning standards for the approval of professional development programs.

11. Adopt, under [chapter 17A](#), rules necessary to carry out board duties, and establish a budget request.

12. Adopt rules to provide for nontraditional preparation options for licensing persons who hold a bachelor's degree from an accredited college or university, who do not meet other requirements for licensure.

13. Adopt rules to determine whether an applicant is qualified to perform the duties for which a license is sought. The rules shall include all of the following:

a. The board may deny a license to or revoke the license of a person upon the board's finding by a preponderance of evidence that either the person has been convicted of an offense and the offense directly relates to the duties and responsibilities of the profession or that there has been a founded report of child abuse against the person. Rules adopted in accordance with this paragraph shall provide that in determining whether a person should be denied a license or that a practitioner's license should be revoked, the board shall consider the nature and seriousness of the founded abuse or offense in relation to the position sought, the time elapsed since the offense was committed, the degree of rehabilitation which has taken place since the incidence of founded abuse or the commission of the offense, the likelihood that the person will commit the same abuse or offense again, and the number of founded abuses committed by or criminal convictions of the person involved.

b. Notwithstanding paragraph "a", the rules shall require the board to disqualify an applicant for a license or to revoke the license of a person for any of the following reasons:

(1) The person entered a plea of guilty to, or has been found guilty of, any of the following offenses, whether or not a sentence is imposed:

(a) Any of the following forcible felonies included in [section 702.11](#): child endangerment, assault, murder, sexual abuse, or kidnapping.

(b) Any of the following sexual abuse offenses, as provided in [chapter 709](#), involving a child:

(i) First, second, or third degree sexual abuse committed on or with a person who is under the age of eighteen years.

(ii) Lascivious acts with a child.

(iii) Assault with intent to commit sexual abuse.

(iv) Indecent contact with a child.

(v) Sexual exploitation by a counselor.

(vi) Lascivious conduct with a minor.

(vii) Sexual exploitation by a school employee.

(c) Enticing a minor under [section 710.10](#).

(d) Human trafficking under [section 710A.2](#).

(e) Incest involving a child under [section 726.2](#).

(f) Dissemination and exhibition of obscene material to minors under [section 728.2](#).

(g) Telephone dissemination of obscene material to minors under [section 728.15](#).

(h) Any offense specified in the laws of another jurisdiction, or any offense that may be prosecuted in federal, military, or foreign court, that is comparable to an offense listed in this subparagraph (1).

(i) Any offense under prior laws of this state or another jurisdiction, or any offense under

prior law that was prosecuted in a federal, military, or foreign court, that is comparable to an offense listed in this subparagraph (1).

(2) The applicant's application is fraudulent.

(3) The applicant's license or certification from another state is suspended or revoked.

(4) The applicant fails to meet board standards for application for an initial or renewed license.

c. Qualifications or criteria for the granting or revocation of a license or the determination of an individual's professional standing shall not include membership or nonmembership in any teachers' organization.

d. An applicant for a license or certificate under [this part](#) shall demonstrate that the requirements of the license or certificate have been met and the burden of proof shall be on the applicant. However, if the executive director of the board receives notice from the director of the department under [section 256.9, subsection 17](#), that an error in the basic education data survey submission resulted in an incorrect determination relating to licensure of a practitioner, the executive director shall initiate corrective action with the board and the findings of the director of the department shall be sufficient evidence to correct such error.

e. The board may deny a license to or revoke the license of a person upon the board's finding by a preponderance of evidence that the person knowingly and intentionally discriminated against a student in violation of [section 261H.2, subsection 3](#), or [section 279.73](#).

14. a. Adopt rules that require specificity in written complaints that are filed by individuals who have personal knowledge of an alleged violation and which are accepted by the board, provide that the jurisdictional requirements as set by the board in administrative rule are met on the face of the complaint before initiating an investigation of allegations, provide that any investigation be limited to the allegations contained on the face of the complaint, provide for an adequate interval between the receipt of a complaint and public notice of the complaint, permit parties to a complaint to mutually agree to a resolution of the complaint filed with the board, allow the respondent the right to review any investigative report upon a finding of probable cause for further action by the board, require that the conduct providing the basis for the complaint occurred within three years of discovery of the event by the complainant unless good cause can be shown for an extension of this limitation, require complaints to be resolved within one hundred eighty days unless good cause can be shown for an extension of this limitation, and require the board to finalize the investigation of the written complaint even if the licensed practitioner resigns or surrenders the licensed practitioner's license, certificate, authorization, or statement of recognition during the investigation.

b. Adopt rules that require the collection and retention of written complaints that are filed. If the board determines a written complaint is not founded, the complaint and all records related to the complaint shall be kept confidential and are not subject to [chapter 22](#).

c. Adopt rules that require the board to notify the public when a licensed practitioner who is the subject of an ongoing investigation initiated under paragraph "a" has a case pending with a finding of probable cause. This paragraph shall not be construed to require the board to disclose unfounded, closed investigations initiated under paragraph "a".

d. Adopt rules that require the evaluation of complaints that did not result in any discipline or sanction if similar complaints are filed against the same licensed practitioner.

e. Adopt rules that require the board to investigate an administrator who is employed by the school that employs a licensed practitioner who is the subject of an investigation initiated under paragraph "a". The rules shall require the board to investigate whether the administrator filed a written complaint pursuant to [this subsection](#) and whether the administrator was required to report to the board pursuant to [section 256.160](#).

15. Adopt criteria for administrative endorsements that allow a person to achieve the endorsement authorizing the person to serve as an elementary or secondary principal without regard to the grade level at which the person accrued teaching experience.

16. Adopt rules to require that a background investigation be conducted by the division of criminal investigation of the department of public safety on all initial applicants for licensure. The board shall also require all initial applicants to submit a completed fingerprint packet and shall use the packet to facilitate a national criminal history background check.

The board shall have access to, and shall review the sex offender registry information under [section 692A.121](#) available to the general public, information in the Iowa court information system available to the general public, the central registry for child abuse information established under [chapter 235A](#), and the dependent adult abuse records maintained under [chapter 235B](#) for information regarding applicants for license renewal and, every five years, for practitioners who are not subject to renewal requirements pursuant to [subsection 1](#), paragraph “a”, subparagraph (2). The board may charge such a practitioner who is not subject to renewal requirements a reasonable fee for the review of the sex offender registry information, information in the Iowa court information system, the central registry for child abuse information, and the dependent adult abuse records.

17. May adopt rules for practitioners who are not eligible for a statement of professional recognition under [subsection 9](#), but have received a baccalaureate degree and provide a service to students at any or all levels from prekindergarten through grade twelve for a school district, accredited nonpublic school, area education agency, or preschool program established pursuant to [chapter 256C](#).

18. Adopt rules to provide in the board’s code of professional conduct and ethics that any licensee of the board, who commits or solicits any sexual conduct as defined in [section 709.15, subsection 3](#), paragraph “a”, subparagraph (2), or solicits, encourages, or consummates a romantic relationship with any individual who was a student within ninety days prior to any such conduct alleged in a complaint initiated with the board, if the licensee taught the individual or supervised the individual in any school activity when the individual was a student, engages in unprofessional and unethical conduct that may result in disciplinary action by the board.

19. Adopt rules pursuant to [chapter 17A](#) establishing endorsements and authorizations for computer science instruction, including traditional and nontraditional pathways for obtaining such endorsements or authorizations.

20. Adopt rules under [chapter 17A](#) to prohibit the suspension or revocation of a license issued by the board to a person who is in default or is delinquent on repayment or a service obligation under federal or state postsecondary educational loans or public or private services-conditional postsecondary tuition assistance solely on the basis of such default or delinquency.

21. By July 1, 2021, adopt rules pursuant to [chapter 17A](#), developed in collaboration with the Iowa reading research center, establishing an advanced dyslexia specialist endorsement. The endorsement shall require a strong understanding of structured literacy instruction; the neurobiological nature, cognitive-linguistic correlates, developmental indicators, compensatory behaviors, potential psychological factors, and co-occurring disorders of dyslexia; demonstrated skill in administering informal and formal assessments related to dyslexia; demonstrated skill in delivery of explicit, systematic literacy intervention; demonstrated skill in developing and supporting services for students with characteristics of dyslexia including those who are eligible for services under [chapter 256B](#) or section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. §794, as amended; demonstrated skill in the design and implementation of accommodations and modifications; demonstrated competence in creating a dyslexia-friendly learning environment; and demonstrated skill in the use and integration of assistive technology. This endorsement shall, at a minimum, require three years of prior teaching experience and completion of a supervised practical experience.

22. Establish, collect, and refund fees from an administrator for the administrative costs of processing complaints and conducting hearings if the administrator is the respondent in a complaint for violation of the code of professional conduct and ethics, developed pursuant to [subsection 1](#), for which final board action results in a sanction against the administrator.

23. By August 1, 2021, adopt rules pursuant to [chapter 17A](#) establishing a statement of professional recognition for behavior analysts licensed under [chapter 154D](#).

24. By January 1, 2022, adopt rules pursuant to [chapter 17A](#) establishing a statement of professional recognition for mental health professionals as defined in [section 228.1](#). The rules shall require that any mental health professional who provides mental health services to students for a school obtain such a statement unless a professional service license

or endorsement relating to mental health services has been issued to the mental health professional by the board.

[C97, §2629; S13, §2629; C24, 27, 31, §3863; C35, §3858-e1; C39, §3858.1; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §260.2]

86 Acts, ch 1245, §1442; 89 Acts, ch 265, §2; 90 Acts, ch 1249, §5, 6

C93, §272.2

96 Acts, ch 1189, §1; 96 Acts, ch 1215, §46; 2001 Acts, ch 103, §1; 2001 Acts, ch 161, §15, 16; 2001 Acts, ch 177, §13, 15; 2002 Acts, ch 1084, §1; 2002 Acts, ch 1128, §1; 2003 Acts, ch 108, §48; 2003 Acts, ch 180, §14, 15; 2006 Acts, ch 1152, §9; 2007 Acts, ch 108, §9; 2008 Acts, ch 1008, §2; 2009 Acts, ch 119, §39; 2009 Acts, ch 177, §32, 33; 2010 Acts, ch 1043, §1; 2011 Acts, ch 35, §1, 2; 2011 Acts, ch 132, §93, 106; 2014 Acts, ch 1045, §1; 2015 Acts, ch 4, §1; 2015 Acts, ch 10, §1; 2016 Acts, ch 1066, §1; 2017 Acts, ch 106, §2; 2018 Acts, ch 1026, §87; 2019 Acts, ch 13, §1; 2019 Acts, ch 24, §36; 2019 Acts, ch 30, §5, 6; 2020 Acts, ch 1048, §4; 2020 Acts, ch 1062, §94; 2020 Acts, ch 1093, §3, 4; 2020 Acts, ch 1103, §22, 31, 39, 51; 2020 Acts, ch 1108, §8; 2021 Acts, ch 80, §144; 2021 Acts, ch 87, §1, 3; 2021 Acts, ch 111, §1; 2021 Acts, ch 130, §4; 2021 Acts, ch 170, §29; 2022 Acts, ch 1103, §6, 7, 9, 10; 2023 Acts, ch 19, §2561 – 2565, 2603, 2605; 2023 Acts, ch 62, §1; 2023 Acts, ch 95, §7; 2023 Acts, ch 100, §2, 3

C2024, §256.146

Referred to in §232.69, 235B.16, 256.7, 256.11, 256.151, 256.155, 256.157, 256.160, 256.161, 256.165, 261E.3, 279.43, 279.69, 279.73, 279.78, 284.6A

2022 amendments apply to students who attended or are attending practitioner preparation programs before, on, or after June 13, 2022; 2022 Acts, ch 1103, §10

2023 amendments by 2023 Acts, ch 192023 Acts, ch 19, apply to individuals appointed as the executive director of the board of educational examiners before, on, or after July 1, 2023; 2023 Acts, ch 19, §2605

See Code editor's note on simple harmonization at the beginning of this Code volume

Section transferred from §272.2 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2603

Unnumbered paragraph 1 amended

Subsection 1, paragraph a amended

Subsection 4 amended

Subsection 7 stricken and former subsections 8 – 13 renumbered as 7 – 12

Former subsections 14 and 15 amended and renumbered as 13 and 14

Former subsection 16 renumbered as 15

Former subsection 17 amended and renumbered as 16

Former subsections 18 – 25 renumbered as 17 – 24

256.147 Membership.

1. The board of educational examiners shall consist of thirteen members, subject to the following requirements:

a. Four members shall be members of the general public who have demonstrated an interest in education but have never held a practitioner's license. Two of the members appointed pursuant to this paragraph shall be the parent or guardian of a student who is currently enrolled in a school district, accredited nonpublic school, or charter school, shall not currently hold any elective office, and shall not be an employee or contractor of a school district, accredited nonpublic school, or charter school. One of the members appointed pursuant to this paragraph shall have been or currently be a member of the board of directors of a school district.

b. Eight members shall be licensed practitioners. Three of the members appointed pursuant to this paragraph shall be administrators and one shall be an employee of an accredited nonpublic school. The remaining four members appointed pursuant to this paragraph shall be selected from the following areas and specialties of the teaching profession:

- (1) Elementary teachers.
- (2) Secondary teachers.
- (3) Special education or similar teachers.
- (4) Counselors or other special purpose practitioners.
- (5) School service personnel.

c. One member shall be the director of the department or the director's designee.

2. The membership of the board shall comply with the requirements of [sections 69.16 and 69.16A](#). A quorum of the board shall consist of seven members. Members shall elect a

chairperson of the board. Members, except for the director of the department or the director's designee, shall be appointed by the governor subject to confirmation by the senate.

[C97, §2634; S13, §2634-a; SS15, §2634-a; C24, 27, 31, 35, 39, §3859; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §260.3]

85 Acts, ch 212, §22; 86 Acts, ch 1245, §1443; 89 Acts, ch 265, §3

C93, §272.3

2002 Acts, ch 1047, §11, 20; 2006 Acts, ch 1152, §10, 11; 2007 Acts, ch 104, §1; 2008 Acts, ch 1008, §3; 2023 Acts, ch 19, §2566, 2567, 2603; 2023 Acts, ch 95, §8, 12

C2024, §256.147

Referred to in §256.148

Confirmation, see §2.32

2023 amendment applies to the governor's appointments to the board of educational examiners on or after July 1, 2023; 2023 Acts, ch 95, §12

For proposed amendments to subsections 1 and 2 by 2023 Acts, ch 19, §2566, 2567, see Code editor's note on simple harmonization at the beginning of this Code volume

Section transferred from §272.3 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2603

Section stricken and rewritten

256.148 Terms of office.

1. Members, except for the director or the director's designee, shall be appointed to serve staggered terms of four years. A member shall not serve more than two consecutive terms, except for the director or the director's designee, who shall serve until the director's term of office expires. A member of the board who is a licensed practitioner appointed pursuant to [section 256.147, subsection 1](#), paragraph "b", shall hold a valid practitioner's license during the member's term of office. A vacancy exists when any of the following occur:

a. The license of a licensed practitioner appointed pursuant to [section 256.147, subsection 1](#), paragraph "b", expires, is suspended, or is revoked.

b. A licensed practitioner appointed pursuant to [section 256.147, subsection 1](#), paragraph "b", retires or terminates employment as a practitioner.

c. A member dies, resigns, is removed from office, or is otherwise physically unable to perform the duties of office.

d. A member's term of office expires.

2. Terms of office for regular appointments shall begin and end as provided in [section 69.19](#). Terms of office for members appointed to fill vacancies shall begin on the date of appointment and end as provided in [section 69.19](#). Members may be removed for cause by a state court with competent jurisdiction after notice and opportunity for hearing. The board may remove a member for three consecutive absences or for cause.

89 Acts, ch 265, §4

CS89, §260.4

92 Acts, ch 1212, §25

C93, §272.4

2007 Acts, ch 22, §64; 2008 Acts, ch 1008, §4; 2023 Acts, ch 19, §2568, 2603; 2023 Acts, ch 95, §9, 12

C2024, §256.148

2023 amendment to subsection 1 applies to the governor's appointments to the board of educational examiners on or after July 1, 2023; 2023 Acts, ch 95, §12

See Code editor's note on simple harmonization at the beginning of this Code volume

Section transferred from §272.4 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2603

Subsection 1 amended

256.149 Compensation of board — executive director.

1. Members shall be reimbursed for actual and necessary expenses incurred while engaged in their official duties and may be entitled to per diem compensation as authorized under [section 7E.6](#). For duties performed during an ordinary school day by a member who is employed by a school corporation or state university, the member shall also receive regular compensation from the school or university. However, the member shall reimburse the school or university in the amount of the per diem compensation received.

2. The director shall appoint an executive director of the board. The executive director

shall possess a background in education licensure and administrative experience. The director shall set the salary of the executive director.

[C35, §3872-e1; C39, §3872.01; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §260.5]

[89 Acts, ch 265, §5](#); [90 Acts, ch 1249, §7](#)

C93, §272.5

[2012 Acts, ch 1119, §22](#); [2023 Acts, ch 19, §2569, 2603, 2605](#)

C2024, §256.149

Confirmation, see [§2.32](#)

2023 amendment to subsection 2 applies to individuals appointed as the executive director of the board of educational examiners before, on, or after July 1, 2023; 2023 Acts, ch 19, §2605

Section transferred from [§272.5](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2603](#)

Subsection 2 amended

256.150 Immunities.

1. A person shall not be civilly liable as a result of the person's acts, omissions, or decisions that are reasonable and in good faith as a member of the board or as an employee or agent in connection with the person's duties.

2. A person shall not be civilly liable as a result of filing a report or complaint with the board or for the disclosure to the board or its agents or employees, whether or not pursuant to a subpoena of records, documents, testimony, or other forms of information in connection with proceedings of the board. However, such immunity from civil liability shall not apply if such an act is done with malice.

3. A person shall not be dismissed from employment or discriminated against by an employer for doing any of the following:

- a. Filing a complaint with the board.
- b. Participating as a member, agent, or employee of the board.
- c. Presenting testimony or other evidence to the board.

4. An employer who violates [this section](#) shall be liable to a person aggrieved by such violation for actual and punitive damages plus reasonable attorney fees.

[2011 Acts, ch 37, §1](#)

CS2011, §272.6

[2023 Acts, ch 19, §2603](#)

C2024, §256.150

Section transferred from [§272.6](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2603](#)

256.151 Validity of license.

1. A license issued under board authority is valid for the period of time for which it is issued, unless the license is suspended or revoked. Except as provided in [section 256.146, subsection 1](#), paragraph "a", subparagraph (2), permanent licenses shall not be issued. A person employed as a practitioner shall hold a valid license with an endorsement for the type of service for which the person is employed. [This section](#) does not limit the duties or powers of a school board to select or discharge practitioners or to terminate practitioners' contracts. A professional development program, except for a program offered by a practitioner preparation institution or area education agency and approved by the state board of education, must possess a valid license for the types of programs offered.

2. The executive director of the board may grant or deny license applications, applications for renewal of a license, and suspension or revocation of a license. A denial of an application for a license, the denial of an application for renewal, or a suspension or revocation of a license may be appealed by the practitioner to the board.

3. The board may issue emergency renewal or temporary, limited-purpose licenses upon petition by a current or former practitioner. An emergency renewal or a temporary, limited-purpose license may be issued for a period not to exceed two years, if a petitioner demonstrates, to the satisfaction of the board, good cause for failure to comply with board requirements for a regular license and provides evidence that the petitioner will comply with board requirements within the period of the emergency or temporary license. Under exceptional circumstances, an emergency license may be renewed by the board for one additional year. A previously unlicensed person is not eligible for an emergency or temporary license, except that a student who is enrolled in a licensed practitioner preparation program

may be issued a temporary, limited-purpose license, without payment of a fee, as part of a practicum or internship program.

[S13, §2630-b, 2734-e; C24, 27, 31, §3878; C35, §3872-e3, -e4, -e5, 3878; C39, §3872.03, 3872.04, 3872.05, 3878; C46, 50, 54, 58, 62, 66, 71, 73, §260.7, 260.8, 260.9, 260.17, 260.18; C75, 77, 79, §260.7, 260.8, 260.9, 260.17; C81, §260.7]

89 Acts, ch 265, §7

C93, §272.7

94 Acts, ch 1126, §1; 2000 Acts, ch 1070, §1; 2017 Acts, ch 54, §76; 2018 Acts, ch 1021, §1; 2023 Acts, ch 19, §2603; 2023 Acts, ch 100, §4

C2024, §256.151

See Code editor's note on simple harmonization at the beginning of this Code volume
Section transferred from §272.7 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2603
Subsection 1 amended

256.152 License to applicants from other states or countries.

1. a. The board may issue a license to an applicant from another state or country if the applicant files evidence of the possession of the required or equivalent requirements with the board, including any of the following:

(1) A full license from another state or country, which shall not include a temporary license or an emergency license.

(2) Verification from an institution located in another state that the applicant has completed all program and licensure requirements with the exception of any assessments required by the state.

(3) Transcripts indicating the applicant completed an educator preparation program located in another country.

b. If the applicant is the spouse of a military person who is on duty or in active state duty as defined in [section 29A.1, subsections 10 and 12](#), the board shall assign a consultant to be the single point of contact for the applicant regarding nontraditional licensure.

2. The executive director of the board may, subject to board approval, enter into reciprocity agreements with another state or country for the licensing of practitioners on an equitable basis of mutual exchange, when the action is in conformity with law.

3. Practitioner preparation and professional development programs offered in this state by out-of-state institutions must be approved by the board in order to fulfill requirements for licensure or renewal of a license by an applicant.

85 Acts, ch 217, §1

CS85, §260.8

89 Acts, ch 265, §8

C93, §272.8

2010 Acts, ch 1169, §8; 2011 Acts, ch 14, §1; 2023 Acts, ch 19, §2603; 2023 Acts, ch 97, §1

C2024, §256.152

See Code editor's note on simple harmonization at the beginning of this Code volume
Section transferred from §272.8 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2603
Subsection 1 amended

256.153 Continuity of certificates and licenses.

1. A certificate which was issued by the board to a practitioner before July 1, 1989, continues to be in force as long as the certificate complies with the rules and statutes in effect on July 1, 1989. Requirements for the renewal of licenses, under [this part](#), do not apply retroactively to renewal of certificates. However, [this section](#) does not limit the duties or powers of a school board to select or discharge practitioners or to terminate practitioners' contracts.

2. A practitioner who holds a certificate issued before July 1, 1989, shall, upon application and payment of a fee, be granted a license which will permit the practitioner to perform the same duties and functions as the practitioner was entitled to perform with the certificate held

at the time of application. A practitioner shall be permitted to convert a permanent certificate to a term certificate, after July 1, 1989, without payment of a fee.

[C75, 77, 79, 81, §260.9]

83 Acts, ch 59, §1; 86 Acts, ch 1245, §1445; 87 Acts, ch 17, §7; 89 Acts, ch 265, §9

C93, §272.9

2008 Acts, ch 1008, §5; 2023 Acts, ch 19, §2570, 2603

C2024, §256.153

Referred to in §294.3

Section transferred from §272.9 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2603

Subsection 1 amended

256.154 Administrator licenses.

1. Beginning July 1, 2007, requirements for administrator licensure beyond an initial license shall include completion of a beginning administrator mentoring and induction program and demonstration of competence on the administrator standards adopted pursuant to [section 284A.3](#).

2. The board shall adopt rules for administrator licensure renewal that include credit for individual administrator professional development plans developed in accordance with [section 284A.6](#).

3. An administrator formerly employed by an accredited nonpublic school or formerly employed as an administrator in another state or country is exempt from the mentoring and induction requirement under [subsection 1](#) if the administrator can document two years of successful administrator experience and meet or exceed the requirements contained in rules adopted pursuant to [this part](#) for endorsement and licensure. However, if an administrator cannot document two years of successful administrator experience when hired by a school district, the administrator shall meet the requirements of [subsection 1](#).

90 Acts, ch 1249, §8

C91, §260.9A

C93, §272.9A

2007 Acts, ch 108, §10; 2008 Acts, ch 1031, §44; 2023 Acts, ch 19, §2571, 2603

C2024, §256.154

Section transferred from §272.9A in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2603

Subsection 3 amended

256.155 Fees.

1. It is the intent of the general assembly that licensing fees established by the board be sufficient to finance the activities of the board under [this part](#).

2. Licensing fees are payable to the treasurer of state and shall be deposited with the executive director of the board. The executive director shall deposit twenty-five percent of the fees collected annually with the treasurer of state and the fees shall be credited to the general fund of the state. The remaining licensing fees collected during the fiscal year shall be retained by and are appropriated to the board for the purposes related to the board's duties. Notwithstanding [section 8.33](#), licensing fees retained by and appropriated to the board pursuant to [this section](#) that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the activities of the board as provided in [this part](#) until the close of the succeeding fiscal year.

3. The executive director shall keep an accurate and detailed account of fees received, including fees paid to the treasurer of state and fees retained by the board.

4. The board shall submit a detailed annual financial report by January 1 to the general assembly and the legislative services agency.

5. The fees established by the board for the administrative costs of processing complaints and conducting hearings pursuant to [section 256.146](#), [subsection 22](#), may include a fee for personal service by a sheriff, a fee for legal notice when placed in a newspaper, transcription service or court reporter fee, and other fees assessed as costs by the board. The fees collected annually in accordance with [this subsection](#) shall be retained by and are appropriated to the board for the purposes related to the board's duties. Notwithstanding [section 8.33](#), fees retained by and appropriated to the board pursuant to [this subsection](#) that remain

unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the activities of the board as provided in [this part](#) until the close of the succeeding fiscal year.

[S13, §2634-f1; C24, 27, 31, §3867; C35, §3872-e6; C39, §**3872.06**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §260.10]

[86 Acts, ch 1245, §1446](#); [89 Acts, ch 265, §11](#)

C93, §272.10

[2006 Acts, ch 1180, §23](#); [2014 Acts, ch 1135, §21](#); [2021 Acts, ch 170, §30](#); [2023 Acts, ch 19, §2572, 2603](#)

C2024, §256.155

Section transferred from [§272.10](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2603](#)
Subsections 1, 2, and 5 amended

256.156 Expenditures and refunds.

Expenditures and refunds made by the board under [this part](#) shall be certified by the executive director of the board to the director of the department of administrative services, and if found correct, the director of the department of administrative services shall approve the expenditures and refunds and draw warrants upon the treasurer of state from the funds appropriated for that purpose.

[C97, §2631; S13, §2634-g; C24, 27, 31, §3868; C35, §3872-e7, -e8; C39, §**3872.07, 3872.08**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, §260.11, 260.12; C81, §260.11]

[86 Acts, ch 1245, §1447](#); [89 Acts, ch 265, §12](#)

C93, §272.11

[2003 Acts, ch 145, §286](#); [2023 Acts, ch 19, §2573, 2603, 2605](#)

C2024, §256.156

2023 amendment applies to individuals appointed as the executive director of the board of educational examiners before, on, or after July 1, 2023; [2023 Acts, ch 19, §2605](#)

Section transferred from [§272.11](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2603](#)

Section amended

256.157 Para-educator certificates.

The board shall adopt rules pursuant to [chapter 17A](#) relating to a voluntary certification system for para-educators. The rules shall specify rights, responsibilities, levels, and qualifications for the certificate. Applicants shall be disqualified for any reason specified in [section 256.146, subsection 13](#), or in administrative rule. The board may issue a para-educator certificate to a person who is at least eighteen years of age. A person holding a para-educator certificate shall not perform the duties of a licensed practitioner. A certificate issued pursuant to [this part](#) shall not be considered a teacher or administrator license for any purpose specified by law, including the purposes specified under [this part](#) or [chapter 279](#).

[98 Acts, ch 1216, §23](#)

C99, §272.12

[2000 Acts, ch 1098, §5](#); [2000 Acts, ch 1223, §31](#); [2002 Acts, ch 1128, §2](#); [2023 Acts, ch 19, §2574, 2603](#); [2023 Acts, ch 62, §2](#)

C2024, §256.157

Referred to in [§256.7](#)

See Code editor's note on simple harmonization at the beginning of this Code volume

Section transferred from [§272.12](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2603](#)

Section amended

256.158 Hearing procedures — confidentiality.

1. Hearings before the board shall be conducted in the same manner as contested cases under [chapter 17A](#). The board may subpoena books, papers, records, and any other real evidence necessary for the board to decide whether it should institute a contested case hearing. At the hearing the board may administer oaths and issue subpoenas to compel the attendance of witnesses and the production of other evidence. Subpoenas may be issued by the board to a party to a hearing, if the party demonstrates that the evidence or witnesses' testimony is relevant and material to the hearing. Service of process and subpoenas for board hearings shall be conducted in accordance with the law applicable to the service of process and subpoenas in civil actions.

2. Witnesses subpoenaed to appear before the board shall be reimbursed for mileage and necessary expenses and shall receive per diem compensation by the board, unless the witness is an employee of the state or a political subdivision, in which case the witness shall receive reimbursement only for mileage and necessary expenses.

3. All complaint files, investigation files, other investigation reports, and other investigative information in the possession of the board or its employees or agents, which relate to licensee discipline, are privileged and confidential, and are not subject to discovery, subpoena, or other means of legal compulsion for their release to a person other than the respondent and the board and its employees and agents involved in licensee discipline, and are not admissible in evidence in a judicial or administrative proceeding other than the proceeding involving licensee discipline. A complaint, any amendment to a complaint, and any supporting documents shall be provided to the respondent immediately upon the board's determination that jurisdictional requirements have been met and prior to the commencement of the board's investigation. Investigative information in the possession of the board or its employees or agents which relates to licensee discipline may be disclosed to appropriate licensing authorities within this state, the appropriate licensing authority in another state, the District of Columbia, or a territory or country in which the licensee is licensed or has applied for a license. A final written decision and finding of fact of the board in a disciplinary proceeding is a public record.

[89 Acts, ch 265, §13](#)

CS89, §260.13

C93, §272.13

[2000 Acts, ch 1199, §1](#); [2010 Acts, ch 1183, §28, 43](#); [2023 Acts, ch 19, §2603](#)

C2024, §256.158

Referred to in [§256.160, 261H.2](#)

Section transferred from [§272.13](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2603](#)

256.158A Required annual report to general assembly.

Annually, on or before June 30 of each year, the board shall submit to the general assembly a report that contains information related to the number and types of disciplinary hearings before the board, any trends in the number or types of disciplinary hearings before the board, the number of hearings requested under [section 279.24](#), and any other information deemed relevant by the board in order to inform the general assembly of the status of the enforcement of the board's rules. The report shall not include any personally identifiable information related to individuals who participated in hearings before the board.

[2023 Acts, ch 95, §5](#)

NEW section

256.159 Appointment of administrative law judges.

The board shall maintain a list of qualified persons employed by the division of administrative hearings created by [section 10A.801](#) and who are experienced in the educational system of this state to serve as administrative law judges when a hearing is requested under [section 279.24](#). When requested under [section 279.24](#), the board shall submit a list of five qualified administrative law judges from the list maintained by the board to the parties. The parties shall select one of the five qualified persons to conduct the hearing as provided in [section 279.24](#). The hearing shall be held pursuant to the provisions of [chapter 17A](#) relating to contested cases. The full costs of the hearing shall be shared equally by the parties.

[90 Acts, ch 1249, §9](#)

C91, §260.14

C93, §272.14

[2023 Acts, ch 19, §1718, 2603](#)

C2024, §256.159

Section transferred from [§272.14](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2603](#)

Section amended

256.160 Reporting requirements — complaints.

1. a. (1) The board of directors of a school district or area education agency, the

superintendent of a school district, the chief administrator of an area education agency, and the authorities in charge of an accredited nonpublic school shall report to the board any instance of disciplinary action taken against a licensed school employee by the board of directors of the school district or area education agency, the superintendent of the school district, the chief administrator of the area education agency, or the authorities in charge of the accredited nonpublic school for conduct constituting any of the following:

(a) Soliciting, encouraging, or consummating a romantic or otherwise inappropriate relationship with a student.

(b) Falsifying student grades, test scores, or other official information or material.

(c) Converting public property or funds to the personal use of the school employee.

(d) Being on school premises or at a school-sponsored activity involving students while under the influence of, possessing, using, or consuming illegal drugs, unauthorized drugs, or alcohol.

(2) The board of directors of a school district or area education agency, the superintendent of a school district, the chief administrator of an area education agency, and the authorities in charge of an accredited nonpublic school shall report to the board the nonrenewal or termination, for reasons of alleged or actual misconduct, of a person's contract executed under [sections 279.12, 279.13, 279.15, 279.16, 279.18 through 279.21, 279.23, and 279.24](#), and the resignation of a person who holds a license, certificate, or authorization issued by the board as a result of or following an incident or allegation of misconduct that, if proven, would constitute a violation of the rules adopted by the board to implement [section 256.146, subsection 13](#), paragraph "b", subparagraph (1); soliciting, encouraging, or consummating a romantic or otherwise inappropriate relationship with a student; falsifying student grades, test scores, or other official information or material; or converting public property or funds to the personal use of the school employee, when the board or reporting official has a good faith belief that the incident occurred or the allegation is true. The board may deny a license or revoke the license of an administrator if the board finds by a preponderance of the evidence that the administrator failed to report the termination or resignation of a school employee holding a license, certificate, statement of professional recognition, or coaching authorization, for reasons of alleged or actual misconduct, as defined by [this section](#).

b. Information reported to the board in accordance with [this section](#) is privileged and confidential, and except as provided in [section 256.158](#), is not subject to discovery, subpoena, or other means of legal compulsion for its release to a person other than the respondent and the board and its employees and agents involved in licensee discipline, and is not admissible in evidence in a judicial or administrative proceeding other than the proceeding involving licensee discipline. The board shall review the information reported to determine whether a complaint should be initiated. In making that determination, the board shall consider the factors enumerated in [section 256.146, subsection 13](#), paragraph "a".

c. For purposes of [this section](#), unless the context otherwise requires, "misconduct" means an action disqualifying an applicant for a license or causing the license of a person to be revoked or suspended in accordance with the rules adopted by the board to implement [section 256.146, subsection 13](#), paragraph "b", subparagraph (1).

2. If, in the course of performing official duties, an employee of the department becomes aware of any alleged misconduct by an individual licensed under [this part](#), the employee shall report the alleged misconduct to the board under rules adopted pursuant to [subsection 1](#).

3. Information required to be reported to the board under [this section](#) shall be reported within thirty days of either of the following:

a. The date action was taken which necessitated the report, including the date of disciplinary action taken, nonrenewal or termination of a contract for reasons of alleged or actual misconduct, or resignation of a person following an incident or allegation of misconduct as required under [subsection 1](#).

b. The date the employee becomes aware of alleged misconduct as required under [subsection 2](#).

4. If the executive director of the board verifies through a review of official records that a teacher who holds a practitioner's license under [this part](#) is assigned instructional duties for which the teacher does not hold the appropriate license or endorsement, either by grade

level or subject area, by a school district or accredited nonpublic school, the executive director may initiate a complaint against the teacher and the administrator responsible for the inappropriate assignment of instructional duties.

[2003 Acts, ch 180, §16](#)

CS2003, §272.15

[2007 Acts, ch 214, §33](#); [2011 Acts, ch 132, §94, 106](#); [2012 Acts, ch 1055, §1](#); [2017 Acts, ch 6, §1](#); [2019 Acts, ch 87, §1](#); [2020 Acts, ch 1062, §40](#); [2020 Acts, ch 1063, §123](#); [2023 Acts, ch 19, §2575, 2603](#)

C2024, §256.160

Referred to in [§256.9, 256.146](#)

Section transferred from [§272.15](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2603](#)

Subsections 2 and 4 amended

256.161 Work-based learning program supervisor certificates.

1. The board shall adopt rules pursuant to [chapter 17A](#) relating to a certification system for work-based learning program supervisors. The rules shall specify rights, responsibilities, levels, and qualifications for the certificate. The certificate shall not require more than fifteen contact hours, which shall be available over the internet and which shall provide instruction related to fundamentals in career education, curriculum, assessment, and the evaluation of student participation.

2. Applicants shall be disqualified for any reason specified in [section 256.146, subsection 13](#), or in rules adopted by the board.

3. A certificate issued pursuant to [this section](#) shall not be considered a teacher or administrator license for any purpose specified by law, including the purposes specified under [this part](#) or [chapter 279](#).

4. The work-based learning program supervisor certificate established pursuant to [this section](#) shall be considered a professional development program.

[2022 Acts, ch 1134, §5](#)

C2023, §272.16

[2023 Acts, ch 19, §2576, 2603](#)

C2024, §256.161

Referred to in [§256.145](#)

Section transferred from [§272.16](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2603](#)

Subsections 1, 2, and 3 amended

256.162 National certification.

The board shall review the standards for teacher's certificates adopted by the national board for professional teaching standards, a nonprofit corporation created as a result of recommendations of the task force on teaching as a profession of the Carnegie forum on education and the economy. In those cases in which the standards required by the national board for an Iowa endorsement or license meet or exceed the requirements contained in rules adopted under [this part](#) for that endorsement or license, the board shall issue endorsements or licenses to holders of certificates issued by the national board who request the endorsement or license.

[91 Acts, ch 51, §1](#)

CS91, §260.20

C93, §272.20

[2023 Acts, ch 19, §2577, 2603](#)

C2024, §256.162

Section transferred from [§272.20](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2603](#)

Section amended

256.163 Licensure beyond initial license.

1. Requirements for teacher licensure beyond an initial license shall include successful completion of a beginning teacher mentoring and induction program approved by the state board of education pursuant to [section 284.5](#); or two years of successful teaching experience in a school district with an approved career paths, leadership roles, and compensation framework or approved comparable system as provided in [section 284.15](#); or evidence of not less than three years of successful teaching experience at any of the following:

- a. An accredited nonpublic school in this state.
- b. A preschool program approved by the United States department of health and human services.
- c. Preschool programs at school districts approved to participate in the preschool program under [chapter 256C](#).
- d. Shared visions programs receiving grants from the child development coordinating council under [section 256A.3](#).
- e. Preschool programs receiving moneys from the school ready children grants account of the early childhood Iowa fund created in [section 256I.11](#).

2. A teacher from an accredited nonpublic school or another state or country is exempt from the requirement of [subsection 1](#) if the teacher can document three years of successful teaching experience and meet or exceed the requirements contained in rules adopted under [this part](#) for endorsement and licensure.

[2001 Acts, ch 161, §17](#)

[CS2001, §272.28](#)

[2003 Acts, ch 180, §18](#); [2016 Acts, ch 1132, §11, 19](#); [2017 Acts, ch 172, §26](#); [2023 Acts, ch 19, §2578, 2603](#)

[C2024, §256.163](#)

Section transferred from [§272.28](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2603](#)
Subsection 2 amended

256.164 Annual administrative rules review — triennial report.

The executive director of the board shall annually review the administrative rules adopted pursuant to [this part](#) and related state laws. The executive director shall submit the executive director's findings and recommendations in a report every three years to the board and the general assembly by January 15.

[2005 Acts, ch 169, §28](#)

[CS2005, §272.29](#)

[2006 Acts, ch 1152, §12](#); [2014 Acts, ch 1135, §22](#); [2023 Acts, ch 19, §2579, 2603, 2605](#)

[C2024, §256.164](#)

2023 amendment applies to individuals appointed as the executive director of the board of educational examiners before, on, or after July 1, 2023; [2023 Acts, ch 19, §2605](#)

Section transferred from [§272.29](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2603](#)
Section amended

256.165 Authorizations — coaching, school business officials, school administration managers, substitute teachers.

1. a. Except as provided in paragraph “b”, the minimum requirements for the board to issue a coaching authorization to an applicant are:

(1) Successful completion of one semester credit hour or ten contact hours in a course relating to knowledge and understanding of the structure and function of the human body in relation to physical activity.

(2) Successful completion of one semester credit hour or ten contact hours in a course relating to knowledge and understanding of human growth and development of children and youth in relation to physical activity.

(3) Successful completion of two semester credit hours or twenty contact hours in a course relating to knowledge and understanding of the prevention and care of athletic injuries and medical and safety problems relating to physical activity.

(4) Successful completion of one semester credit hour or ten contact hours relating to knowledge and understanding of the techniques and theory of coaching interscholastic athletics.

(5) Attainment of at least eighteen years of age.

b. The board shall issue a transitional coaching authorization to an individual who is at least twenty-one years of age and who provides verification of an offer of a coaching position by a school or a consortium of schools, but who has not completed the coursework required for a coaching authorization as specified in paragraph “a”. A transitional coaching authorization is valid for not more than one year, shall not be renewed, and is valid only in the school or consortium of schools making the offer of the coaching position. A consortium

of schools may include a school district, a school district school attendance center, or an accredited nonpublic school, or any combination thereof. However, prior to issuing a transitional coaching authorization to an individual under this paragraph “b”, the board shall ensure that the individual meets all of the following requirements:

(1) Completes a shortened course of training relating to the code of professional rights and responsibilities, practices, and ethics developed in accordance with [section 256.146, subsection 1](#), paragraph “a”, by the board specifically for transitional coaches.

(2) Completes the child and dependent adult abuse mandatory reporter training required by [sections 232.69 and 235B.16](#).

(3) Completes a nationally recognized concussion in youth sports training course.

(4) Complies with the background investigation requirements established by the board pursuant to [section 256.146, subsection 16](#).

2. a. The board shall issue a school business official authorization to an individual who successfully completes a training program that meets the standards set by the state board of education pursuant to [section 256.7, subsection 30](#), and who complies with rules adopted by the board pursuant to [subsection 5](#).

b. A person hired on or after July 1, 2012, as a school business official responsible for the financial operations of a school district who is without prior experience as a school business official in Iowa shall either hold the school business official authorization issued pursuant to paragraph “a” of [this subsection](#) or obtain the authorization within two years of the start date of employment as a school business official.

c. An individual employed as a school business official prior to July 1, 2012, who meets the requirements of the board, other than the training program requirements of paragraph “a”, shall be issued, with no fee for issuance, an initial authorization by the board, but shall meet renewal requirements for an authorization within the time period specified by the board.

3. The board shall issue a school administration manager authorization to an individual who successfully completes a training program that meets the standards set by the state board pursuant to [section 256.7, subsection 30](#), and who complies with rules adopted by the state board pursuant to [subsection 5](#).

4. The board shall issue a substitute authorization that allows an individual to substitute in grades prekindergarten through twelve for no more than ten consecutive days in a thirty-day period in one job assignment for a regularly assigned teacher who is absent, except in the driver education classroom. A school district administrator may file a written request with the board for an extension of the ten-day limit in one job assignment in a thirty-day period on the basis of documented need and benefit to the instructional program. The executive director of the board or the executive director’s designee shall review the request and provide a written decision either approving or denying the request. A substitute teacher authorization shall require not less than the successful completion of an associate degree or not less than sixty undergraduate semester hours, or the equivalent, from a college or university accredited by an institutional accrediting agency recognized by the United States department of education.

5. The board shall adopt rules under [chapter 17A](#) for authorizations, including but not limited to approval of courses, validity and expiration, fees, and suspension and revocation of authorizations.

6. The state board of education shall work with institutions of higher education, private colleges and universities, community colleges, area education agencies, and professional organizations to ensure that the courses and programs required for authorizations under [this section](#) are offered throughout the state at convenient times and at a reasonable cost.

[84 Acts, ch 1296, §3](#)

[C85, §260.31](#)

[86 Acts, ch 1245, §1452; 89 Acts, ch 265, §15, 16; 90 Acts, ch 1249, §11](#)

[C93, §272.31](#)

97 Acts, ch 32, §1; 2010 Acts, ch 1099, §2; 2010 Acts, ch 1183, §29; 2012 Acts, ch 1119, §26; 2013 Acts, ch 30, §65; 2016 Acts, ch 1066, §2; 2021 Acts, ch 109, §1; 2022 Acts, ch 1021, §53; 2023 Acts, ch 19, §2603

C2024, §256.165

Referred to in §232.69, 279.19B

Section transferred from §272.31 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2603

256.166 through 256.175 Reserved.

PART 4

COLLEGE STUDENT AID COMMISSION

Referred to in §256.121, 261B.11A, 261F1, 261G.4

Iowa higher education loan authority is attached to the commission; §7E.7, chapter 261A
Continuity of scholarships, loans, or grants awarded by college student aid commission
under former chapter 261 prior to July 1, 2023; use of federal funds to employ personnel
necessary for program administration; 2023 Acts, ch 19, §2642

SUBPART A

COLLEGE STUDENT AID COMMISSION — GENERAL PROVISIONS

256.176 Commission created.

1. There is hereby created within the higher education division of the department a commission to be known as the “*College Student Aid Commission*” of the state of Iowa.

2. Membership of the commission shall be as follows:

a. A member of the state board of regents to be named by the state board of regents, or the executive director of the state board of regents if so appointed by the state board of regents, who shall serve for a four-year term or until the expiration of the member’s term of office.

b. The director of the department or the director’s designee.

c. (1) Two members of the senate, one to be appointed by the president of the senate and one to be appointed by the minority leader of the senate, to serve as ex officio, nonvoting members.

(2) Two members of the house of representatives, one to be appointed by the speaker of the house of representatives and one to be appointed by the minority leader of the house of representatives, to serve as ex officio, nonvoting members.

(3) The members of the senate and house of representatives shall serve at the pleasure of the appointing legislator for a term beginning upon the convening of the general assembly and expiring upon the convening of the following general assembly, or when the appointee’s successor is appointed, whichever occurs later.

d. Nine additional members to be appointed by the governor as follows:

(1) One member shall be selected to represent private colleges and universities located in the state of Iowa. When appointing this member, the governor shall give careful consideration to any person nominated or recommended by any organization or association of some or all private colleges and universities located in the state of Iowa.

(2) One member shall be selected to represent Iowa’s community colleges. When appointing this member, the governor shall give careful consideration to any person nominated or recommended by any organization or association of Iowa community colleges.

(3) One member shall be enrolled as a student at an institution of higher learning governed by the board of regents, a community college, or an accredited private institution.

(4) One member shall be a parent of a student enrolled at an institution of higher learning governed by the board of regents, a community college, or an accredited private institution.

(5) One member shall represent practitioners licensed under [chapter 256, subchapter VII, part 3](#). When appointing this member, the governor shall give careful consideration to any person nominated by an Iowa teacher association or other education stakeholder organization.

(6) Four members shall represent the general public, none of whom shall be officers, board members, or trustees of an institution of higher learning or of an association of institutions of higher learning.

3. The members of the commission appointed by the governor shall serve for a term of four years. The voting members of the commission shall elect a chairperson and vice chairperson. Meetings may be called by the chairperson or a majority of the voting members.

4. a. Vacancies on the commission shall be filled for the unexpired term of such vacancies, if applicable, in the same manner as the original appointment.

b. A vacancy shall exist on the commission when a legislative member of the commission ceases to be a member of the general assembly, when a parent member no longer has a child enrolled in postsecondary education, or when a student member ceases to be enrolled as a student. Such vacancy shall be filled within thirty days.

5. The director shall appoint an executive director of the commission. The director shall set the salary of the executive director.

[C66, 71, 73, 75, 77, 79, 81, §261.1]

85 Acts, ch 67, §31; 85 Acts, ch 212, §21; 86 Acts, ch 1245, §2032; 89 Acts, ch 83, §37; 89 Acts, ch 300, §1; 90 Acts, ch 1223, §24; 90 Acts, ch 1253, §121, 122; 91 Acts, ch 61, §1, 2; 2000 Acts, ch 1095, §2; 2006 Acts, ch 1051, §2; 2008 Acts, ch 1107, §1 – 3; 2008 Acts, ch 1191, §134; 2010 Acts, ch 1061, §91; 2017 Acts, ch 172, §11 – 13; 2018 Acts, ch 1041, §68; 2023 Acts, ch 19, §2557, 2608 – 2611, 2641, 2643

C2024, §256.176

Referred to in [§256.182](#), [261B.2](#), [261G.2](#)

2023 amendments to subsections 1, 2, and 4 apply to individuals appointed as the executive director of the college student aid commission before, on, or after July 1, 2023; 2023 Acts, ch 19, §2643

Subsection 5 applies to individuals appointed as the executive director of the college student aid commission before, on, or after July 1, 2023; 2023 Acts, ch 19, §2643

Section transferred from [§261.1](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

Subsection 1 amended

Subsection 2, paragraphs a and b amended

Subsection 2, paragraph d, subparagraph (5) amended

Subsection 4, paragraph a amended

NEW subsection 5

256.177 Duties of commission.

The commission shall:

1. Prepare and administer a state plan for a state supported and administered scholarship program. The state plan shall provide for scholarships to deserving students of Iowa, matriculating in Iowa universities, colleges, community colleges, or schools of professional nursing. Eligibility of a student for receipt of a scholarship shall be based upon academic achievement and completion of advanced level courses prescribed by the commission.

2. Administer the tuition grant program under [this part](#).

3. Develop and implement, in cooperation with the state board of regents, an educational program and marketing strategies designed to inform parents about the options available for financing a college education and the need to accumulate the financial resources necessary to pay for a college education. The educational program shall include but not be limited to distribution of informational material to public and nonpublic elementary schools for distribution to parents and guardians of five-year and six-year old children.

4. Approve transfers from the scholarship and tuition grant reserve fund under [section 256.193](#).

5. Develop and implement, in cooperation with the judicial district departments of correctional services and the department of corrections, a program to assist criminal offenders in applying for federal and state aid available for higher education.

6. Develop and implement, in cooperation with the department of health and human services and the judicial branch, a program to assist juveniles who are sixteen years of age or older and who have a case permanency plan under [chapter 232](#) or [237](#) or are otherwise under the jurisdiction of [chapter 232](#) in applying for federal and state aid available for higher education.

7. a. Adopt rules to establish reasonable registration standards for the approval, pursuant to [section 261B.3A](#), of postsecondary schools that are required to register with the

commission in order to operate in this state. The registration standards established by the commission shall ensure that all of the following conditions are satisfied:

(1) The courses, curriculum, and instruction offered by the postsecondary school are of such quality and content as may reasonably and adequately ensure achievement of the stated objective for which the courses, curriculum, or instruction are offered.

(2) The postsecondary school has adequate space, equipment, instructional material, and personnel to provide education and training of good quality.

(3) The educational and experience qualifications of the postsecondary school's directors, administrators, and instructors are such as may reasonably ensure that students will receive instruction consistent with the objectives of the postsecondary school's programs of study.

(4) Upon completion of training or instruction, students are given certificates, diplomas, or degrees as appropriate by the postsecondary school indicating satisfactory completion of the program.

(5) The postsecondary school is financially responsible and capable of fulfilling commitments for instruction.

b. The commission shall post an application on the commission's internet site and shall render a decision on an application for registration within one hundred eighty days of the filing of the application.

8. Submit by January 15 annually a report to the general assembly which provides, by program, the number of individuals who received loan forgiveness or loan repayment in the previous fiscal year, the amounts paid to or on behalf of individuals under [sections 256.205](#), [256.220](#), and [256.224](#), and the institutions from which individuals graduated, and that includes any proposed statutory changes and the commission's findings and recommendations.

9. Require any postsecondary institution whose students are eligible for or who receive assistance under programs administered by the commission and who were enrolled in a school district in Iowa to include in its student management information system the unique student identifiers assigned to the institution's students while the students were in the state's kindergarten through grade twelve system.

10. Ensure that students receiving state-funded scholarships and grants are attending institutions of higher education that meet all of the following conditions:

a. The institutions are not required to register under [chapter 261B](#) or the institutions are participating resident institutions as defined in [section 261G.2](#) that volunteer to register under [section 261B.11B](#).

b. The institutions are eligible to participate in a federal student aid program authorized under Tit. IV of the federal Higher Education Act of 1965, Pub. L. No. 89-329, as amended.

11. Require any postsecondary institution whose students are eligible for or who receive financial assistance under programs administered by the commission to transmit annually to the commission information about the numbers of minority students enrolled in and minority faculty members employed at the institution. The commission shall compile and report the information collected to the general assembly, the governor, and the legislative services agency by March 1 annually.

12. Enter into and administer, or recognize, an interstate reciprocity agreement for the provision of postsecondary distance education by a postsecondary institution pursuant to [chapter 261G](#). The commission shall adopt rules establishing application procedures and criteria for the authorization of postsecondary institutions providing postsecondary distance education under interstate reciprocity agreements pursuant to [chapter 261G](#) and for the review and approval of interstate reciprocity agreements the commission may enter into or recognize pursuant to [this subsection](#) and [chapter 261G](#). The commission may accept an authorization granted by another state to a postsecondary institution under an interstate reciprocity agreement to deliver postsecondary distance education.

[C66, 71, 73, 75, 77, 79, 81, §261.2]

[83 Acts, ch 101, §60](#); [83 Acts, ch 184, §5, 11, 15](#); [88 Acts, ch 1003, §1](#); [88 Acts, ch 1261, §2](#); [88 Acts, ch 1284, §20, 21](#); [89 Acts, ch 300, §2](#); [90 Acts, ch 1253, §122](#); [90 Acts, ch 1272, §45](#); [92 Acts, ch 1231, §42](#); [92 Acts, ch 1240, §17](#); [93 Acts, ch 179, §20](#); [95 Acts, ch 70, §1](#); [98 Acts, ch 1047, §27](#); [2000 Acts, ch 1095, §3](#); [2004 Acts, ch 1145, §2](#); [2005 Acts, ch 59, §1](#); [2007 Acts,](#)

ch 214, §24; 2008 Acts, ch 1181, §31; 2009 Acts, ch 12, §1, 2; 2009 Acts, ch 118, §48, 54; 2009 Acts, ch 177, §24; 2010 Acts, ch 1031, §314; 2010 Acts, ch 1147, §8, 13; 2011 Acts, ch 36, §1; 2014 Acts, ch 1063, §1, 2; 2017 Acts, ch 172, §14; 2018 Acts, ch 1041, §69; 2023 Acts, ch 19, §1014, 2612, 2641

C2024, §256.177

Referred to in §232.2, 261G.2

Section transferred from §261.2 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2641

Subsections 2 and 6 amended

256.178 Organization — bylaws.

1. The commission, under the authority of the higher education division of the department, shall draw up its own bylaws, adopt rules under [chapter 17A](#), and do such other things as may be necessary and incidental in the administration of [this part](#), including the housing and fixing the bond of persons required to carry out its functions and responsibilities. A decision of the commission is final agency action under [chapter 17A](#).

2. The commission shall function at the seat of government or such other place as the commission might designate.

[C66, 71, 73, 75, 77, 79, 81, §261.3]

[86 Acts, ch 1245, §1454](#); [2017 Acts, ch 54, §76](#); [2023 Acts, ch 19, §2613, 2641](#)

C2024, §256.178

Section transferred from §261.3 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2641

Section amended

256.179 Funds — compensation and expenses of commission.

The director of the department of administrative services shall keep an accounting of all funds received and expended by the commission. The members of the commission, except those members who are employees of the state, shall be paid a per diem as specified in [section 7E.6](#) and shall be reimbursed for actual and necessary expenses. All per diem and expense moneys paid to nonlegislative members shall be paid from funds appropriated to the commission. Legislative members of the commission shall receive payment pursuant to [section 2.10](#) and [section 2.12](#).

[C66, 71, 73, 75, 77, 79, 81, §261.4]

[90 Acts, ch 1256, §44](#); [2003 Acts, ch 145, §286](#); [2023 Acts, ch 19, §2641](#)

C2024, §256.179

Section transferred from §261.4 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2641

256.180 Response to national emergency — waiver authority.

1. For purposes of [this section](#), unless the context otherwise requires:

a. “Active duty” means “active duty” as defined in 10 U.S.C. §101(d)(1), except that the term does not include active duty for training or attendance at a service school.

b. “Affected individual” means an individual who is serving on active duty during the national emergency; or who resides or is employed in an area that is declared a disaster area by any federal, state, or local official in connection with the national emergency; or who suffered direct economic hardship as a result of the national emergency, as determined under a waiver or modification issued pursuant to [this section](#).

c. “Serving on active duty during the national emergency” means any of the following individuals:

(1) A reserve of an armed force ordered to active duty under 10 U.S.C. §12301(a), 12301(g), 12302, 12304, or 12306, or any retired member of an armed force ordered to active duty under 10 U.S.C. §688, as amended, for service in connection with the emergency or subsequent actions or conditions, regardless of the location at which the active duty service is performed.

(2) Any other member of an armed force on active duty in connection with the emergency or subsequent actions or conditions who has been assigned to a duty station at a location other than the location at which the member is normally assigned.

2. Notwithstanding any other provision of [this part](#), in the event of a national emergency declared by the president of the United States by reason of terrorist attack, the commission may waive or modify any statutory or regulatory provision applicable to state financial aid

programs established pursuant to [this part](#) to ensure, with regard to affected individuals, that the following occurs:

a. The financial positions of affected individuals who are state student loan borrowers are not worsened in relation to those loans because of their status as affected individuals.

b. Administrative requirements placed on state student loan borrowers are minimized, to the extent possible, without impairing the integrity of the student loan programs, to ease the burden on these borrowers and to avoid inadvertent technical violations or defaults.

c. The calculation of “annual adjusted family income” and “available income”, as used in the determination of need for student financial assistance under 20 U.S.C. §1070 et seq., for affected individuals, or if applicable, for the spouses or dependents of affected individuals, may be modified to mean the sums received in the first calendar year of the award year for which the determination is made, in order to reflect more accurately the financial condition of the affected individuals or their families.

3. Notwithstanding any other provision of [this part](#), in the event of a national emergency declared by the president of the United States by reason of terrorist attack, the commission may grant temporary relief from requirements rendered infeasible or unreasonable, including due diligence requirements and reporting deadlines, by the national emergency, to an institution of higher education under the state board of regents, a community college, an accredited private institution as defined in [section 256.183](#), eligible lenders, and other entities participating in the state student assistance programs in accordance with [this part](#), that are located in, or whose operations are directly affected by, areas that are declared disaster areas by any federal, state, or local official in connection with the national emergency. If the commission issues a waiver in accordance with [this section](#), the report prepared by the commission pursuant to [section 17A.9A, subsection 5](#), shall include examples of measures that a postsecondary institution may take in the appropriate exercise of discretion, as provided in 20 U.S.C. §1087tt, to adjust financial need and aid eligibility determinations for affected individuals.

4. [This section](#) shall not be construed as a requirement that the commission exercise the waiver or modification authority provided pursuant to [this section](#) on a case-by-case basis.

[2002 Acts, ch 1036, §1, 2](#)

C2003, §261.5

[2023 Acts, ch 19, §2614, 2615, 2641](#)

C2024, §256.180

Section transferred from [§261.5](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

Subsection 2, unnumbered paragraph 1 amended

Subsection 3 amended

256.181 Textbook notice — legislative intent and recommendation.

1. In order to promote consumer choice and lower the costs of textbooks in higher education, the general assembly intends that students enrolled in institutions of higher learning have access to appropriate textbook information prior to the start of classes, with adequate time to pursue alternative purchase avenues.

2. The general assembly recommends that every public and private institution of higher education in this state, including those institutions referenced in [chapters 260C and 262](#) and [section 256.183](#), post the list of required and suggested textbooks for all courses and the corresponding international standard book numbers for such textbooks at least fourteen days before the start of each semester or term, to the extent possible, at the locations where textbooks are sold on campus and on the internet site for the respective institution of higher education.

3. The college student aid commission is directed to convey the legislative intent and recommendation contained in [this section](#) to every institution of higher education in the state registered pursuant to [chapter 261B](#) at least once a year.

[2008 Acts, ch 1146, §1](#)

C2009, §261.7

[2008 Acts, ch 1191, §125; 2013 Acts, ch 90, §257; 2023 Acts, ch 19, §2641](#)

C2024, §256.181

Section transferred from [§261.7](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

256.182 Corporation for educational financial assistance, services, and research.

1. *Nonprofit corporation for receiving and disbursing funds.* The commission may organize a nonprofit corporation under the provisions of [chapter 504](#) that qualifies under section 501(c)(3) of the Internal Revenue Code as an organization exempt from taxation for the purpose of receiving and disbursing moneys from public or private sources to be used to provide Iowans with educational financial assistance, services to increase access to and success in postsecondary education, and research. Unless otherwise provided in this section, the corporation is subject to the provisions of [chapter 504](#).

2. *Incorporators.* The incorporators of the corporation organized pursuant to this section shall be the chairperson of the commission, the executive director of the commission, and a member of the commission selected by a majority vote of the commission.

3. *Board of directors.* The board of directors of the corporation organized pursuant to this section shall be the members of the commission appointed under [section 256.176, subsection 2](#), paragraphs “a”, “b”, and “d”, or their successors in office, and may include up to two additional members who shall be appointed by the commission and who shall have experience or legal and technical expertise relating to nonprofit organizations.

4. *Accepting grants in aid.* The corporation organized pursuant to this section may accept grants of money or property from the federal government or private sources and may upon its own order use its money, property, or other resources for the purposes set forth in [subsection 1](#).

5. *Open meetings and open records.* The corporation is subject to [chapters 21 and 22](#) as if the corporation were a governmental body.

6. *Status.* The corporation shall collaborate with the commission for the purposes specified in this section, but the corporation shall not be considered, in whole or in part, an agency, department, or administrative unit of the state. The corporation shall not receive appropriations from the general assembly. Except as provided in [subsection 5](#), the corporation shall not be required to comply with any requirements that apply to a state agency, department, or administrative unit and shall not exercise any sovereign power of the state. The commission shall enter into an agreement under [chapter 28E](#) with the corporation to stipulate the powers and responsibilities of the corporation and the commission for purposes of this section. The corporation may enter into agreements with other entities as necessary to fulfill the provisions of this section.

7. *No state liability.* The corporation does not have authority to pledge the credit of the state, and the state shall not be liable for the debts or obligations of the corporation. All debts and obligations of the corporation shall be payable solely from the corporation’s funds.

8. *Tax deductible.* The corporation shall be established so that donations and bequests to the corporation qualify as tax deductible under state income tax laws and under section 501(c)(3) of the Internal Revenue Code.

9. *Staffing and administrative support.* The commission shall provide staff assistance and administrative support to the corporation.

10. *Report.* The corporation shall submit by January 15 annually a written report of its activities and operations to the governor, the general assembly, and the commission.

[2021 Acts, ch 24, §1](#)

C2022, §261.8

[2023 Acts, ch 19, §2641](#)

C2024, §256.182

Section transferred from [§261.8](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

SUBPART B

TUITION GRANTS TO STUDENTS

256.183 Definitions.

When used in [this subpart](#), unless the context otherwise requires:

1. “Accredited private institution” means an institution of higher learning located in Iowa

which is operated privately and not controlled or administered by any state agency or any subdivision of the state and which meets the criteria in paragraphs “a” and “b” and all of the criteria in paragraphs “d” through “i”, except that institutions defined in paragraph “c” of [this subsection](#) are exempt from the requirements of paragraphs “a” and “b”:

- a. Is accredited by the higher learning commission.
- b. Is accredited by the higher learning commission, is exempt from taxation under section 501(c)(3) of the Internal Revenue Code, and annually provides a matching aggregate amount of institutional financial aid equal to at least seventy-five percent of the amount received in a fiscal year by the institution’s students for Iowa tuition grant assistance under [this part](#). Commencing with the fiscal year beginning July 1, 2006, the matching aggregate amount of institutional financial aid shall increase by the percentage of increase each fiscal year of funds appropriated for Iowa tuition grants under [section 256.194, subsection 1](#), to a maximum match of one hundred percent. The institution shall file annual reports with the commission prior to receipt of tuition grant moneys under [this part](#). An institution whose income is not exempt from taxation under section 501(c) of the Internal Revenue Code and whose students were eligible to receive Iowa tuition grant money in the fiscal year beginning July 1, 2003, shall meet the match requirements of this paragraph no later than June 30, 2005.
- c. Is a specialized college that is accredited by the higher learning commission, and which offers health professional programs that are affiliated with health care systems located in Iowa.
- d. Promotes equal opportunity and affirmative action efforts in the recruitment, appointment, assignment, and advancement of personnel at the institution and provides information regarding such efforts to the commission upon request.
- e. Adopts a policy that prohibits unlawful possession, use, or distribution of controlled substances by students and employees on property owned or leased by the institution or in conjunction with activities sponsored by the institution. Each institution shall provide information about the policy to all students and employees. The policy shall include a clear statement of sanctions for violation of the policy and information about available drug or alcohol counseling and rehabilitation programs. In carrying out this policy, an institution shall provide substance use disorder prevention programs for students and employees.
- f. Develops and implements a written policy, which is disseminated during student registration or orientation, addressing the following four areas relating to sexual abuse:
 - (1) Counseling.
 - (2) Campus security.
 - (3) Education, including prevention, protection, and the rights and duties of students and employees of the institution.
 - (4) Facilitating the accurate and prompt reporting of sexual abuse to the duly constituted law enforcement authorities.
- g. (1) Adopts a policy to offer not less than the following options to a student who is a member, or the spouse of a member if the member has a dependent child, of the Iowa national guard or reserve forces of the United States and who is ordered to national guard duty or federal active duty:
 - (a) Withdraw from the student’s entire registration and receive a full refund of tuition and mandatory fees.
 - (b) Make arrangements with the student’s instructors for course grades, or for incompletes that shall be completed by the student at a later date. If such arrangements are made, the student’s registration shall remain intact and tuition and mandatory fees shall be assessed for the courses in full.
 - (c) Make arrangements with only some of the student’s instructors for grades, or for incompletes that shall be completed by the student at a later date. If such arrangements are made, the registration for those courses shall remain intact and tuition and mandatory fees shall be assessed for those courses. Any course for which arrangements cannot be made for grades or incompletes shall be considered dropped and the tuition and mandatory fees for the course refunded.
- (2) As used in this lettered paragraph, “*dependent child*” means the same as defined in [section 260C.14, subsection 14](#), paragraph “b”, subparagraph (2), subparagraph division (a).

h. Develops and implements a consistent written policy for an employee who in the scope of the person's employment responsibilities examines, attends, counsels, or treats a child to report suspected physical or sexual abuse. The policy shall include an employee's reporting responsibilities. The reporting responsibilities shall designate the time, circumstances, and method for reporting suspected child abuse to the accredited private institution's administration and reporting to law enforcement. Nothing in the policy shall prohibit an employee from reporting suspected child abuse in good faith to law enforcement.

i. (1) Adopts a policy to require that the institution shall annually, beginning December 15, 2015, file a report with the governor and the general assembly providing information and statistics for the previous five academic years on the number of students per year who are veterans who received education credit for military education, training, and service, that number as a percentage of veterans known to be enrolled at the institution, the average number of credits received by students, and the average number of credits applied towards the award or completion of a course of instruction, postsecondary diploma, degree, or other evidences of distinction.

(2) For purposes of this paragraph, "veteran" means a veteran as defined in [section 35.1](#) or a member of the reserve forces of the United States or the national guard as defined in [section 29A.1](#) who has served at least one year of the member's commitment and is eligible for or has exhausted federal veterans education benefits under 38 U.S.C. ch. 30, 32, 33, or 36 or 10 U.S.C. ch. 1606 or 1607, respectively.

2. "Commission" means the college student aid commission.

3. "Eligible institution" means an institution of higher learning located in Iowa which is operated privately and not controlled or administered by any state agency or any subdivision of the state, which is not exempt from taxation under section 501(c)(3) of the Internal Revenue Code, and which meets all of the criteria in [subsection 1](#), paragraphs "d" through "i", and is a school of barbering and cosmetology arts and sciences licensed under [chapter 157](#) and is accredited by a national accrediting agency recognized by the United States department of education. For the fiscal year beginning July 1, 2017, such a school of barbering and cosmetology arts and sciences shall provide a matching aggregate amount of institutional financial aid equal to at least seventy-five percent of the amount received by the institution's students for Iowa tuition grant assistance under [section 256.191](#). For the fiscal year beginning July 1, 2018, the school of barbering and cosmetology arts and sciences shall provide a matching aggregate amount of institutional financial aid equal to at least eighty-five percent of the amount received in that fiscal year. Commencing with the fiscal year beginning July 1, 2019, and each succeeding fiscal year, the matching aggregate amount of institutional financial aid shall be at least equal to the match provided by eligible institutions under [section 261.9](#), [subsection 3](#), paragraph "a", Code 2023.

4. "Financial need" means the difference between the student's financial resources available, including those available from the student's parents as determined by a completed parents' confidential statement, and the student's anticipated expenses while attending the accredited private institution. Financial need shall be redetermined at least annually.

5. "Full-time resident student" means an individual resident of Iowa who is enrolled at an accredited private institution in a course of study including at least twelve semester hours or the trimester equivalent of twelve semester hours. "Course of study" does not include correspondence courses.

6. "Part-time resident student" means an individual resident of Iowa who is enrolled at an accredited private institution in a course of study including at least three semester hours or the trimester or quarter equivalent of three semester hours. "Course of study" does not include correspondence courses.

7. "Qualified student" means a resident student who has established financial need and who is making satisfactory progress toward graduation.

8. "Tuition grant" means an award by the state of Iowa to a qualified student under [this subpart](#).

[C71, 73, 75, 77, 79, 81, §261.9]

87 Acts, ch 233, §455; 88 Acts, ch 1284, §22 – 24; 89 Acts, ch 319, §42; 90 Acts, ch 1253, §122; 90 Acts, ch 1272, §48; 91 Acts, ch 180, §1; 92 Acts, ch 1106, §1, 4; 2000 Acts, ch 1095,

§4 – 11; 2001 Acts, ch 24, §42; 2001 Acts, ch 39, §2; 2003 Acts, ch 179, §113, 114; 2004 Acts, ch 1086, §56; 2004 Acts, ch 1175, §237, 238; 2005 Acts, ch 169, §25; 2010 Acts, ch 1169, §4; 2011 Acts, ch 36, §3; 2012 Acts, ch 1040, §4, 5; 2012 Acts, ch 1072, §35; 2014 Acts, ch 1013, §16; 2014 Acts, ch 1061, §3; 2014 Acts, ch 1116, §31, 32; 2015 Acts, ch 8, §2; 2017 Acts, ch 54, §76; 2017 Acts, ch 170, §36; 2017 Acts, ch 172, §15; 2018 Acts, ch 1026, §80; 2023 Acts, ch 19, §1015, 2616 – 2618, 2641; 2023 Acts, ch 79, §4; 2023 Acts, ch 99, §44; 2023 Acts, ch 119, §46

C2024, §256.183

Referred to in §84A.1B, 139A.8B, 256.7, 256.28, 256.180, 256.181, 256.191, 256.203, 256.207, 256.210, 256.214, 256.219, 256.223, 256.225, 256.228, 256.229, 261B.11, 261E.2, 261G.2, 714.19

See Code editor's note on simple harmonization at the beginning of this Code volume

Section transferred from §261.9 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2641

Unnumbered paragraph 1 amended

Subsection 1, paragraphs b and e amended

Subsections 3 and 8 amended

256.184 Who qualified.

A tuition grant may be awarded to a resident of Iowa who is admitted and in attendance as a full-time or part-time resident student at an accredited private institution and who establishes financial need.

[C71, 73, 75, 77, 79, 81, §261.10]

[88 Acts, ch 1284, §25](#); [2023 Acts, ch 19, §2641](#)

C2024, §256.184

Section transferred from [§261.10](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

256.185 Extent of grant.

A qualified full-time resident student may receive tuition grants for not more than eight semesters of undergraduate study or the trimester or quarter equivalent. A qualified part-time resident student may receive tuition grants for not more than sixteen semesters of undergraduate study or the trimester or quarter equivalent.

[C71, 73, 75, 77, 79, 81, §261.11]

[88 Acts, ch 1284, §26](#); [2023 Acts, ch 19, §2641](#)

C2024, §256.185

Section transferred from [§261.11](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

256.186 Amount of grant.

1. The amount of a tuition grant to a qualified full-time student for the fall and spring semesters, or the trimester equivalent, shall be the amount of the student's financial need for that period. However, a tuition grant shall not exceed the lesser of:

a. The total tuition and mandatory fees for that student for two semesters or the trimester or quarter equivalent, less the base amount determined annually by the college student aid commission, which base amount shall be within ten dollars of the average tuition for two semesters or the trimester equivalent of undergraduate study at the state universities under the board of regents, but in any event the base amount shall not be less than four hundred dollars; or

b. For the fiscal year beginning July 1, 2017, and for each succeeding fiscal year, an amount equivalent to the average resident tuition and mandatory fees for two semesters or the equivalent of undergraduate study at the institutions of higher learning governed by the state board of regents.

2. The amount of a tuition grant to a qualified full-time student for the summer semester or trimester equivalent shall be one-half the amount of the tuition grant the student receives under [subsection 1](#).

3. The amount of a tuition grant to a qualified part-time student enrolled in a course of study including at least three semester hours but fewer than twelve semester hours for the fall, spring, and summer semesters, or the trimester or quarter equivalent, shall be equal to the amount of a tuition grant that would be paid to a full-time student times a number which represents the number of hours in which the part-time student is actually enrolled divided by twelve semester hours, or the trimester or quarter equivalent.

[C71, 73, 75, 77, 79, 81, §261.12]

83 Acts, ch 197, §13; 84 Acts, ch 1302, §16; 85 Acts, ch 263, §16; 88 Acts, ch 1284, §27; 89 Acts, ch 300, §3; 89 Acts, ch 319, §43; 90 Acts, ch 1253, §122; 90 Acts, ch 1272, §49; 91 Acts, ch 10, §1; 91 Acts, ch 258, §39; 95 Acts, ch 218, §21; 96 Acts, ch 1215, §36; 96 Acts, ch 1219, §4, 5; 97 Acts, ch 212, §25; 98 Acts, ch 1215, §33; 99 Acts, ch 205, §28; 2000 Acts, ch 1223, §26; 2013 Acts, ch 140, §151; 2015 Acts, ch 140, §46, 58, 59; 2017 Acts, ch 172, §16; 2023 Acts, ch 19, §2641

C2024, §256.186

Section transferred from §261.12 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2641

256.187 Annual grant.

A tuition grant may be made annually for the fall, spring, and summer semesters or the trimester equivalent. Payments under the grant shall be allocated equally among the semesters or trimesters and shall be paid at the beginning of each semester or trimester upon certification by the accredited private institution that the student is admitted and in attendance. If the student discontinues attendance before the end of any semester or trimester after receiving payment under the grant, the entire amount of any refund due that student, up to the amount of any payments made under the annual grant, shall be paid by the accredited private institution to the state.

[C71, 73, 75, 77, 79, 81, §261.13]

96 Acts, ch 1219, §6; 2023 Acts, ch 19, §2641

C2024, §256.187

Section transferred from §261.13 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2641

256.188 Other aid considered.

If a student receives financial aid under any other program the full amount of such financial aid shall be considered part of the student's financial resources available in determining the amount of the student's financial need for that period. In no case may the state's total financial contribution to the student's education, including financial aid under any other state program, exceed the tuition and mandatory fees at the institution which the student attends.

[C71, 73, 75, 77, 79, 81, §261.14]

2023 Acts, ch 19, §2641

C2024, §256.188

Section transferred from §261.14 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2641

256.189 Administration by commission — rules.

The commission shall administer this program and shall:

1. Provide application forms and parents' confidential statement forms.
2. Adopt rules and regulations for determining financial need, defining tuition and mandatory fees, defining residence for the purposes of [this subpart](#), processing and approving applications for tuition grants, and determining priority of grants. The commission may provide for proration of funds if the available funds are insufficient to pay all approved grants. Such proration shall take primary account of the financial need of the applicant. In determining who is a resident of Iowa, the commission's rules shall be at least as restrictive as those of the board of regents.
3. Approve and award tuition grants.
4. Make an annual report to the governor and general assembly, and evaluate the tuition grant program for the period. The commission may require the accredited private institution to promptly furnish any information which the commission may request in connection with the tuition grant program.

[C71, 73, 75, 77, 79, 81, §261.15]

2017 Acts, ch 54, §76; 2023 Acts, ch 19, §2619, 2641

C2024, §256.189

Referred to in §256.191

Section transferred from §261.15 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2641

Subsection 2 amended

256.190 Application for grants.

Each applicant, in accordance with the rules and regulations of the commission, shall:

1. Complete and file an application for a tuition grant.
 2. Be responsible for the submission of the parents' confidential statement for processing, the processed information to be returned both to the commission and to the college in which the applicant is enrolling.
 3. Report promptly to the commission any information requested.
 4. File a new application and parents' confidential statement annually on the basis of which the applicant's eligibility for a renewed tuition grant will be evaluated and determined.
- [C71, 73, 75, 77, 79, 81, §261.16]
2023 Acts, ch 19, §2641
C2024, §256.190
Referred to in §256.191
Section transferred from §261.16 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2641

256.191 Iowa tuition grants — for-profit institutions.

1. *Students qualified.* A tuition grant from moneys appropriated under [section 256.194, subsection 2](#), may be awarded to a resident of Iowa who is admitted and in attendance as a full-time or part-time resident student at an eligible institution and who establishes financial need.
2. *Extent of grant.* A qualified full-time resident student enrolled in an eligible institution that meets the criteria of [section 256.183, subsection 3](#), may receive tuition grants for not more than four semesters or the equivalent of two full years of study. However, if a student resumes study after at least a two-year absence, the student may again be eligible for the specified amount of time, except that the student shall not receive assistance for courses for which credit was previously received.
3. *Amount of grant.*
 - a. The amount of a tuition grant to a qualified full-time student for the fall and spring semesters, or the equivalent, shall be the amount of the student's financial need for that period. However, a tuition grant shall not exceed six thousand dollars.
 - b. The amount of a tuition grant to a qualified full-time student for the summer semester or equivalent shall be one-half the amount of the tuition grant the student receives under paragraph "a".
 - c. The amount of a tuition grant to a qualified part-time student enrolled in a course of study including at least three semester hours but fewer than twelve semester hours for the fall, spring, and summer semesters, or the equivalent, shall be equal to the amount of a tuition grant that would be paid to a full-time student times a number which represents the number of hours in which the part-time student is actually enrolled divided by twelve semester hours, or the equivalent.
 - d. If a qualified student receives financial aid under any other program, the full amount of such financial aid shall be considered part of the student's financial resources available in determining the amount of the student's financial need for that period. In no case may the state's total financial contribution to the student's education, including financial aid under any other state or federal program, exceed the tuition and mandatory fees at the eligible institution the student attends.
4. *Grant payments — attendance discontinued.*
 - a. Payments under the tuition grant shall be allocated equally among the semesters or the equivalent and shall be paid at the beginning of each semester or equivalent upon certification by the eligible institution that the student is admitted and in full-time or part-time attendance in a course of study.
 - b. If the student discontinues attendance before the end of any semester, or the equivalent, after receiving payment under the grant, the entire amount of any refund due that student, up to the amount of any payments made under the annual grant, shall be paid by the eligible institution to the state.
5. *Commission responsibilities.* The commission's responsibilities for administering tuition grants under [this section](#) shall be the same as provided under [section 256.189](#). The commission may require an eligible institution to promptly furnish any information which the commission may request in connection with the tuition grant program.

6. *Grant applications.* Each applicant for a tuition grant under [this section](#) shall meet the requirements of [section 256.190](#).

7. *Reports to commission.* An eligible institution shall file annual reports with the commission, as required by the commission and under [section 256.183](#), prior to receipt of tuition grant moneys under [this part](#).

[2017 Acts, ch 172, §17](#)

[C2018, §261.16A](#)

[2023 Acts, ch 19, §2620, 2641; 2023 Acts, ch 79, §5](#)

[C2024, §256.191](#)

Referred to in [§256.183](#)

Section transferred from §261.16A in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2641

Subsections 2 and 7 amended

256.192 Vocational-technical tuition grants.

1. A vocational-technical tuition grant may be awarded to any resident of Iowa who is admitted and in attendance as a full-time or part-time student in a vocational-technical or career option program at a community college in the state, and who establishes financial need.

2. All classes, including liberal arts classes, identified by the community college as required for completion of the student's vocational-technical or career option program shall be considered a part of the student's vocational-technical or career option program for the purpose of determining the student's eligibility for a grant. Notwithstanding [subsection 3](#), if a student is making satisfactory academic progress but the student cannot complete a vocational-technical or career option program in the time frame allowed for a student to receive a vocational-technical tuition grant as provided in [subsection 3](#) because additional classes are required to complete the program, the student may continue to receive a vocational-technical tuition grant for not more than one additional enrollment period.

3. *a.* A qualified full-time student may receive vocational-technical tuition grants for not more than four semesters or the trimester or quarter equivalent of two full years of study. A qualified part-time student enrolled in a course of study including at least three semester hours but fewer than twelve semester hours or the trimester or quarter equivalent may receive vocational-technical tuition grants for not more than eight semesters or the trimester or quarter equivalent of two full years of full-time study.

b. However, if a student resumes study after at least a two-year absence, the student may again be eligible for the specified amount of time, except that the student shall not receive assistance for courses for which credit was previously received.

4. *a.* The amount of a vocational-technical tuition grant to a qualified full-time student shall not exceed the lesser of one thousand two hundred dollars per year or the amount of the student's established financial need.

b. The amount of a vocational-technical tuition grant to a qualified part-time student enrolled in a course of study including at least three semester hours but fewer than twelve semester hours or the trimester or quarter equivalent shall be equal to the amount of a vocational-technical tuition grant that would be paid to a full-time student, except that the commission shall prorate the amount in a manner consistent with the federal Pell grant program proration.

5. A vocational-technical tuition grant shall be awarded on an annual basis, requiring reapplication by the student for each year. Payments under the grant shall be allocated equally among the semesters or quarters of the year upon certification by the institution that the student is in full-time or part-time attendance in a vocational-technical or career option program, as defined under rules of the department. If the student discontinues attendance before the end of any term after receiving payment of the grant, the entire amount of any refund due that student, up to the amount of any payments made under the annual grant, shall be paid by the institution to the state.

6. If a student receives financial aid under any other program, the full amount of that financial aid shall be considered part of the student's financial resources available in determining the amount of the student's financial need for that period.

7. The commission shall administer this program and shall:

- a. Provide application forms for distribution to students by Iowa high schools and community colleges.
 - b. Adopt rules for determining financial need, defining residence for the purposes of [this section](#), processing and approving applications for grants and determining priority for grants.
 - c. Approve and award grants on an annual basis.
 - d. Make an annual report to the governor and general assembly.
8. Each applicant, in accordance with the rules established by the commission, shall:
- a. Complete and file an application for a vocational-technical tuition grant.
 - b. Be responsible for the submission of the financial information required for evaluation of the applicant's need for a grant, on forms determined by the commission.
 - c. Report promptly to the commission any information requested.
 - d. Submit a new application and financial statement for reevaluation of the applicant's eligibility to receive a second-year renewal of the grant.

[C75, 77, 79, 81, §261.17]

[83 Acts, ch 197, §14](#); [87 Acts, ch 233, §456](#); [89 Acts, ch 319, §44](#); [90 Acts, ch 1253, §120](#); [90 Acts, ch 1272, §50](#); [97 Acts, ch 212, §26](#); [98 Acts, ch 1215, §34, 35](#); [99 Acts, ch 205, §29, 30](#); [2001 Acts, 2nd Ex, ch 6, §20, 37](#); [2002 Acts, ch 1014, §1](#); [2010 Acts, ch 1061, §180](#); [2023 Acts, ch 19, §2621, 2641](#)

C2024, §256.192

Section transferred from [§261.17](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)
Subsection 5 amended

256.193 Scholarship and tuition grant reserve fund.

1. A scholarship and tuition grant reserve fund is created to assure that financial assistance will be available to all students who are awarded scholarships or tuition grants through programs funded under [this part](#). The fund is created as a separate fund in the state treasury, and moneys in the fund shall not revert to the general fund unless, and then only to the extent that, the funds exceed the maximum allowed balance.

2. The maximum balance of the scholarship and tuition grant reserve fund is an amount equal to two percent of the funds appropriated to the scholarship and tuition grant programs under [section 256.194](#) during the preceding fiscal year. The moneys in the fund shall be placed in separate accounts within the fund, according to the source and purpose of the original appropriation. Moneys in the various accounts shall only be used to alleviate a current fiscal year shortfall in appropriations for scholarship or tuition grant programs that have the same nature as the programs for which the moneys were originally appropriated. At the conclusion of a fiscal year, any surplus appropriations made to the commission for scholarship or tuition grant programs are appropriated to the scholarship and grant reserve fund in an amount equal to the amount of the surplus or the amount necessary to achieve the maximum balance, whichever amount is less.

3. Transfers of moneys from the scholarship and tuition grant reserve fund to appropriation accounts in which there is a current fiscal year shortfall may be made only with the prior written approval of the governor. At least two weeks before moneys are transferred from the fund, the commission shall notify the chairpersons of the standing appropriations committees of the general assembly and the co-chairpersons of the education appropriations subcommittee of the proposed transfer. The notice shall include information concerning the amount of and reason for the proposed transfer. The chairpersons shall be given at least two weeks to review and comment on the proposed transfer before the transfer can be made.

4. The commission shall annually report to the general assembly the methodology and manner in which the commission makes the determination of awards for programs for which funds are appropriated under [section 256.194](#).

[89 Acts, ch 300, §4](#)

CS89, §261.20

[2020 Acts, ch 1121, §8](#); [2023 Acts, ch 19, §2622, 2641](#)

C2024, §256.193

Referred to in [§256.177](#)

Section transferred from [§261.20](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

Subsection 1 amended

256.194 Appropriations — standing limited.

1. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of fifty-one million four hundred twenty-one thousand five hundred thirty-one dollars for tuition grants to qualified students who are enrolled in accredited private institutions.

2. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of one hundred eight thousand dollars for tuition grants for qualified students who are enrolled in eligible institutions.

3. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of one million seven hundred fifty thousand one hundred eighty-five dollars for vocational-technical tuition grants.

4. [This section](#) shall not be construed to be a limitation on any of the amounts which may be appropriated by the general assembly for any program enumerated in [this section](#).

[C77, 79, 81, §261.25]

83 Acts, ch 197, §15; 85 Acts, ch 263, §17; 87 Acts, ch 233, §458; 88 Acts, ch 1003, §2; 88 Acts, ch 1284, §13, 28; 89 Acts, ch 319, §47, 48; 90 Acts, ch 1253, §122; 90 Acts, ch 1272, §54; 91 Acts, ch 180, §3; 91 Acts, ch 260, §908; 91 Acts, ch 267, §218; 92 Acts, ch 1246, §30; 93 Acts, ch 179, §21; 94 Acts, ch 1193, §19, 20; 95 Acts, ch 218, §22; 96 Acts, ch 1215, §38; 97 Acts, ch 212, §27; 98 Acts, ch 1215, §37, 38; 99 Acts, ch 205, §31, 32; 2000 Acts, ch 1095, §14; 2000 Acts, ch 1223, §28; 2002 Acts, ch 1171, §85; 2002 Acts, 2nd Ex, ch 1003, §93, 95; 2003 Acts, ch 35, §45, 49; 2003 Acts, ch 182, §13; 2004 Acts, ch 1175, §93; 2005 Acts, ch 169, §26, 27; 2006 Acts, ch 1180, §18, 19; 2006 Acts, ch 1182, §43; 2007 Acts, ch 214, §27; 2008 Acts, ch 1181, §33; 2009 Acts, ch 177, §27; 2010 Acts, ch 1183, §23, 24, 43; 2011 Acts, ch 36, §4; 2011 Acts, ch 132, §13, 106; 2012 Acts, ch 1132, §11; 2017 Acts, ch 172, §18, 19; 2018 Acts, ch 1163, §13; 2019 Acts, ch 135, §13; 2021 Acts, ch 170, §16; 2022 Acts, ch 1149, §13; 2023 Acts, ch 19, §2641; 2023 Acts, ch 79, §6; 2023 Acts, ch 111, §10

C2024, §256.194

Referred to in [§256.183](#), [256.191](#), [256.193](#)

For proposed amendments to subsection 2, by 2023 Acts, ch 79, §6, see Code editor's note on simple harmonization at the beginning of this Code volume

Section transferred from §261.25 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2641

Subsections 1 and 2 amended

SUBPART C

IOWA GUARANTEED LOAN PROGRAM

256.195 Definitions.

As used in [this subpart](#), unless the context otherwise requires:

1. “*Commission*” means the college student aid commission of the state of Iowa.

2. “*Eligible borrower*” means a person, or the parent of a person, who is enrolled or will be enrolled at an eligible institution. All eligible borrowers must meet the eligibility requirements established by the commission.

3. “*Eligible institution*” means any postsecondary educational institution which meets the requirements of the provisions of the Higher Education Act of 1965 for student participation in the federal interest subsidy program and the requirements prescribed by rule of the commission.

4. “*Eligible lender*” means a financial or credit institution, insurance company or other approved lender which meets the standards prescribed by the commission and has executed a lender participation agreement with the commission.

5. “*Higher Education Act of 1965*” means the federal Higher Education Act of 1965, as amended and codified in 20 U.S.C. §1071 et seq.

[C79, 81, §261.35; 81 Acts, ch 8, §12, ch 85, §1]

86 Acts, ch 1246, §25; 89 Acts, ch 300, §5; 90 Acts, ch 1253, §122; 2006 Acts, ch 1180, §20; 2017 Acts, ch 54, §76; 2023 Acts, ch 19, §2623, 2641

C2024, §256.195

Referred to in §256.202

Section transferred from §261.35 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2641

Unnumbered paragraph 1 amended

256.196 Powers.

The commission shall have necessary powers to carry out its purposes and duties under [this subpart](#), including but not limited to the power to:

1. Sue and be sued in its own name.
2. Incur and discharge debts including the payment of any defaulted loan obligations which have been guaranteed by the commission.
3. Make and execute agreements, contracts, and other instruments with any public or private person or agency including the United States secretary of education.
4. Guarantee loans made by eligible lenders to eligible borrowers who are, or whose children are, enrolled or will be enrolled at eligible institutions as at least half-time students as defined by the commission.
5. Approve educational institutions as eligible institutions upon their meeting the requirements established by the commission.
6. Approve financial or credit institutions, insurance companies, or other lenders as eligible lenders upon their meeting the standards established by the commission for making guaranteed loans.
7. Accept appropriations, gifts, grants, loans, or other aid from public or private persons or agencies including the United States secretary of education.
8. Implement various means of encouraging maximum lender participation in the Iowa guaranteed loan program.

[C71, 73, 75, 77, §261.5, 261.6; C79, 81, §261.36; 81 Acts, ch 8, §13]

83 Acts, ch 101, §61; 89 Acts, ch 300, §26; 90 Acts, ch 1168, §36; 2017 Acts, ch 54, §76; 2019 Acts, ch 24, §31; 2023 Acts, ch 19, §2624, 2641

C2024, §256.196

Section transferred from §261.36 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2641

Unnumbered paragraph 1 amended

256.197 Duties.

The duties of the commission under [this subpart](#) shall be as follows:

1. To review the Iowa guaranteed loan program.
2. To review and make disposition of all applications for the guarantee of student loans.
3. Collect an insurance premium of not more than the amount authorized by the federal Higher Education Act of 1965. The premium shall be collected by the lender upon the disbursement of the loan and shall be remitted promptly to the commission.
4. To enter into all necessary agreements with the United States secretary of education as required for the purpose of receiving full benefit of the state program incentives offered pursuant to the Higher Education Act of 1965.
5. To adopt rules pursuant to [chapter 17A](#) to implement the provisions of [this subpart](#), including establishing standards for educational institutions, lenders, and individuals to become eligible institutions, lenders, and borrowers. Notwithstanding any contrary provisions in [chapter 537](#), the rules and standards established shall be consistent with the requirements provided in the Higher Education Act of 1965.
6. To reimburse eligible lenders for the amount authorized by the federal Higher Education Act of 1965 on defaulted loans guaranteed by the commission upon receipt of written notice of the default accompanied by evidence that the lender has exercised the required degree of diligence in efforts to collect the loan.
7. To establish an effective system for the collection of delinquent loans, including the adoption of an agreement with the department of revenue to set off against a defaulter's income tax refund or rebate the amount that is due because of a default on a loan made under [this subpart](#). The commission shall adopt rules under [chapter 17A](#) necessary to

assist the department of revenue in the implementation of the student loan setoff program as established under [section 421.65](#). The commission shall apply administrative wage garnishment procedures authorized under the federal Higher Education Act of 1965, as amended and codified in 20 U.S.C. §1071 et seq., for all delinquent loans, including loans authorized under [section 256.198](#), when a defaulter who is financially capable of paying fails to voluntarily enter into a reasonable payment agreement. In no case shall the commission garnish more than the amount authorized by federal law for all loans being collected by the commission, including those authorized under [section 256.198](#).

8. To develop and disseminate informational and educational materials to lenders, postsecondary institutions and borrowers. The commission shall provide applicants, as deemed necessary by the commission, with information about the past default rates of borrowers, enrollment, and placement statistics by postsecondary institution.

9. To develop all forms necessary to the proper administration of the guaranteed student loan program and provide supplies of such forms to participating lenders and postsecondary institutions.

10. To report annually to the governor and the general assembly on the status of the guaranteed student loan program.

11. To implement all possible assistance to eligible lenders for the purpose of easing the workload entailed in participation in the guaranteed student loan program.

[C79, 81, §261.37; 81 Acts, ch 8, §14; 82 Acts, ch 1057, §1]

83 Acts, ch 101, §62; 87 Acts, ch 233, §459; 88 Acts, ch 1284, §29; 89 Acts, ch 300, §6; 90 Acts, ch 1168, §37; 96 Acts, ch 1158, §1; 2003 Acts, ch 145, §228; 2004 Acts, ch 1145, §3; 2014 Acts, ch 1061, §4; 2017 Acts, ch 54, §76; 2020 Acts, ch 1064, §12, 28; 2020 Acts, ch 1118, §73, 74; 2023 Acts, ch 19, §2625, 2626, 2641

C2024, §256.197

2020 amendment to subsection 7 by 2020 Acts, ch 1064, §12, is effective on the date of rules adopted by the department of revenue to implement 2020 Acts, ch 1064, see 2020 Acts, ch 1064, §28; 2020 Acts, ch 1118, §73, 74; the Code editor received notice that the system designed to implement the setoff procedures established in 2020 Acts, ch 1064, and the accompanying rules, will be operational on November 13, 2023; rules governing transition, see 2020 Acts, ch 1118, §72

See Code editor's note on simple harmonization at the beginning of this Code volume

Section transferred from [§261.37](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

Unnumbered paragraph 1 amended

Subsections 5 and 7 amended

256.198 Agency operating account.

1. The commission shall establish an agency operating account as authorized by the federal Higher Education Act of 1965. The commission shall credit to the agency operating account all moneys provided for the state student loan program by the United States, the state of Iowa, or any of their agencies, departments, or instrumentalities, as well as any funds accruing to the program which are not required for current administrative expenses. The commission may expend moneys in the agency operating account as authorized by the federal Higher Education Act of 1965.

2. Notwithstanding [section 8.33](#), funds on deposit in the agency operating account shall not revert to the state general fund at the close of any fiscal year.

3. The treasurer of state shall invest any funds in the agency operating account, and, notwithstanding [section 12C.7](#), the interest income earned shall be credited back to the agency operating account.

4. a. The commission may enter into agreements with the Iowa student loan liquidity corporation in order to increase access for students to education loan programs that the commission determines meet the education needs of Iowa residents. The agreements shall permit the establishment, funding, and operation of alternative education loan programs, as described in section 144(b)(1)(B) of the Internal Revenue Code of 1986 as amended, as defined in [section 422.3](#), in addition to programs permitted under the federal Higher Education Act of 1965. In accordance with those agreements, the Iowa student loan liquidity corporation may issue bonds, notes, or other obligations to the public and others for the purpose of funding the alternative education loan programs. This authority to issue bonds, notes, or other obligations shall be in addition to the authority established in the articles of incorporation and bylaws of the Iowa student loan liquidity corporation.

b. Bonds, notes, or other obligations issued by the Iowa student loan liquidity corporation are not an obligation of this state or any political subdivision of this state within the meaning of any constitutional or statutory debt limitations, but are special obligations of the Iowa student loan liquidity corporation, and the corporation shall not pledge the credit or taxing power of this state or any political subdivision of this state, or make its debts payable out of any of the moneys except those of the corporation.

[C71, 73, 75, 77, §261.5, 261.8; C79, 81, §261.38]

86 Acts, ch 1246, §26, 27; 89 Acts, ch 300, §7; 90 Acts, ch 1253, §122; 91 Acts, ch 180, §4, 5; 92 Acts, ch 1246, §31; 99 Acts, ch 205, §33 – 37; 2010 Acts, ch 1061, §180; 2014 Acts, ch 1061, §5, 6; 2023 Acts, ch 19, §2641

C2024, §256.198

Referred to in §256.197

Section transferred from §261.38 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2641

256.199 Short title.

This subpart shall be known and may be cited as the “Iowa Guaranteed Loan Program”.

[C79, 81, §261.42]

89 Acts, ch 300, §8; 90 Acts, ch 1168, §39; 2017 Acts, ch 54, §76; 2023 Acts, ch 19, §2627, 2641

C2024, §256.199

Section transferred from §261.42 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2641

Section amended

256.200 Actions not barred.

No lapse of time shall be a bar to any action to recover on any loan guaranteed by the commission.

89 Acts, ch 300, §9

CS89, §261.43

2023 Acts, ch 19, §2641

C2024, §256.200

Section transferred from §261.43 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2641

256.201 Security interest in education loans.

A nonprofit organization qualifying for tax-exempt status under the Internal Revenue Code, as defined in section 422.3, that provides or acquires education loans in the organization’s normal course of business shall, notwithstanding any contrary provision of chapter 554 or other state law, establish and perfect a security interest and establish priority over other security interests in such education loans by filing in the same manner as provided for perfecting a security interest in a student loan pursuant to 20 U.S.C. §1082(m)(1)(E). This section applies to education loans provided under this part by such nonprofit organizations and other education loans provided by such nonprofit organizations.

2002 Acts, ch 1021, §1

C2003, §261.43A

2023 Acts, ch 19, §2628, 2641

C2024, §256.201

Section transferred from §261.43A in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2641

Section amended

SUBPART D

IOWA STATE FAIR FOUNDATION — IOWA STATE FAIR SCHOLARSHIP

256.202 Iowa state fair scholarship.

The Iowa state fair scholarship fund is established in the office of treasurer of state to be administered by the commission. The commission shall adopt rules pursuant to chapter 17A for the administration of this section. The rules shall provide, at a minimum, that only residents of Iowa who have actively participated in the Iowa state fair and graduated from an accredited secondary school in Iowa shall be eligible to receive an Iowa state

fair scholarship for matriculation at an eligible institution as defined in [section 256.195](#). Notwithstanding [section 12C.7](#), interest earned on money in the Iowa state fair scholarship fund shall be deposited into the fund and may be used by the commission only for Iowa state fair scholarship awards.

[98 Acts, ch 1215, §36, 63](#)

C99, §261.24

[2014 Acts, ch 1061, §16](#)

C2015, §261.62

[2023 Acts, ch 19, §2641](#)

C2024, §256.202

Section transferred from [§261.62](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

SUBPART E

CHIROPRACTIC GRADUATE STUDENT FORGIVABLE LOAN PROGRAM

256.203 Chiropractic graduate student forgivable loans.

1. A chiropractic graduate student forgivable loan program is established, to be administered by the college student aid commission for resident graduate students who are enrolled at Iowa chiropractic colleges and universities. A resident graduate student attending an Iowa chiropractic college or university is eligible for loan forgiveness under the program if the student meets all of the following conditions:

- a. The student graduates from an Iowa chiropractic college or university that meets the requirements for approval under [section 151.4](#).
- b. The student has completed a chiropractic residency program.
- c. The student agrees to practice in an underserved area in the state of Iowa for a period of time to be determined by the commission at the time the loan is awarded.
- d. The student has received a loan from moneys appropriated to the college student aid commission for this program.

2. The contract for the loan repayment shall stipulate the time period the chiropractor shall practice in an underserved area in this state. In addition, the contract shall stipulate that the chiropractor repay any funds paid on the chiropractor's loan by the commission if the chiropractor fails to practice in an underserved area in this state for the required period of time. Forgivable loans made to eligible students shall not become due, for repayment purposes, until one year after the student has graduated. A loan that has not been forgiven may be sold to a bank, savings association, credit union, or nonprofit agency eligible to participate in the guaranteed student loan program under the federal Higher Education Act of 1965, 20 U.S.C. §1071 et seq., by the commission when the loan becomes due for repayment.

3. For purposes of [this section](#) "graduate student" means a student who has completed at least ninety semester hours, or the trimester or quarter equivalent, of postsecondary course work at a public higher education institution or at an accredited private institution, as defined under [section 256.183](#). "Underserved area" means a geographical area included on the Iowa governor's health practitioner shortage area list, which is compiled by the department of health and human services. The commission shall adopt rules, consistent with rules used for students enrolled in higher education institutions under the control of the state board of regents, for purposes of determining Iowa residency status of graduate students under [this section](#). The commission shall also adopt rules which provide standards, guidelines, and procedures for the receipt, processing, and administration of student applications and loans under [this section](#).

[95 Acts, ch 218, §23](#)

CS95, §261.71

[96 Acts, ch 1158, §2, 3; 99 Acts, ch 205, §38, 39; 2012 Acts, ch 1017, §65; 2023 Acts, ch 19, §1016, 2641](#)

C2024, §256.203

Section transferred from [§261.71](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)
Subsection 3 amended

256.204 Chiropractic loan revolving fund.

A chiropractic loan revolving fund is created in the state treasury as a separate fund under the control of the commission. The commission shall deposit payments made by chiropractic loan recipients and the proceeds from the sale of chiropractic loans, less costs of collection of delinquent chiropractic loans, into the chiropractic loan revolving fund. Moneys credited to the fund shall be used to supplement moneys appropriated for the chiropractic graduate student forgivable loan program, for loan forgiveness to eligible chiropractic physicians, and to pay for loan or interest repayment defaults by eligible chiropractic physicians. Notwithstanding [section 8.33](#), any balance in the fund on June 30 of any fiscal year shall not revert to the general fund of the state.

[96 Acts, ch 1158, §4](#)

[C97, §261.72](#)

[2023 Acts, ch 19, §2641](#)

[C2024, §256.204](#)

Allocation to chiropractic loan forgiveness program; [2015 Acts, ch 140, §4, 23](#); [2017 Acts, ch 172, §3, 48](#); [2019 Acts, ch 135, §3](#); [2020 Acts, ch 1121, §1](#); [2021 Acts, ch 170, §3](#); [2022 Acts, ch 1149, §3](#); [2023 Acts, ch 111, §4](#)

Section transferred from [§261.72](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

256.205 Chiropractic loan forgiveness program.

1. A chiropractic loan forgiveness program is established to be administered by the commission. A chiropractor is eligible for the program if the chiropractor is a resident of this state, is licensed to practice under [chapter 151](#), and is engaged in the practice of chiropractic in this state.

2. Each applicant for loan forgiveness shall, in accordance with the rules of the commission, do all of the following:

a. Complete and file an application for chiropractic loan forgiveness. The individual shall be responsible for the prompt submission of any information required by the commission.

b. File a new application and submit information as required by the commission annually on the basis of which the applicant's eligibility for the renewed loan forgiveness will be evaluated and determined.

c. Complete and return on a form approved by the commission an affidavit of practice verifying that the applicant meets the eligibility requirements of [subsection 1](#).

3. The annual amount of chiropractic loan forgiveness shall not exceed the resident tuition rate established for institutions of higher learning governed by the state board of regents for the first year following the chiropractor's graduation from a college of chiropractic approved by the board of chiropractic in accordance with [section 151.4](#), or twenty percent of the chiropractor's total federally guaranteed Stafford loan amount under the federal family education loan program or the federal direct loan program, including principal and interest, whichever amount is less. A chiropractor shall be eligible for the loan forgiveness program for not more than five consecutive years.

4. A chiropractic loan forgiveness repayment fund is created for deposit of moneys appropriated to or received by the commission for use under the program. Notwithstanding [section 8.33](#), moneys deposited in the fund shall not revert to any fund of the state at the end of any fiscal year but shall remain in the chiropractic loan forgiveness repayment fund and be continuously available for loan forgiveness under the program. Notwithstanding [section 12C.7, subsection 2](#), interest or earnings on moneys deposited in the fund shall be credited to the fund.

5. The commission shall adopt rules pursuant to [chapter 17A](#) to administer [this section](#).

[2008 Acts, ch 1181, §34](#)

[C2009, §261.73](#)

[2023 Acts, ch 19, §2641](#); [2023 Acts, ch 66, §48](#)

[C2024, §256.205](#)

Referred to in [§256.177](#)

Section transferred from [§261.73](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

Subsection 2, unnumbered paragraph 1 amended

SUBPART F
WORK-STUDY PROGRAM

256.206 Work-study program.

The Iowa college work-study program is established to stimulate and promote the part-time employment of students attending Iowa postsecondary educational institutions, and the part-time or full-time summer employment of students registered for classes at Iowa postsecondary institutions during the succeeding school year, who are in need of employment earnings in order to pursue postsecondary education. The program shall be administered by the commission. The commission shall adopt rules under [chapter 17A](#) to carry out the program. The employment under the program shall be employment by the postsecondary education institution itself or work in a public agency or private nonprofit organization under a contract between the institution or the commission and the agency or organization. The work shall not result in the displacement of employed workers or impair or affect existing contracts for services. Moneys used by an institution for the work-study program shall supplement and not supplant jobs and existing financial aid programs provided for students through the institution.

[85 Acts, ch 219, §1](#)

CS85, §261.81

[88 Acts, ch 1284, §31](#); [89 Acts, ch 300, §18](#); [89 Acts, ch 319, §50](#); [91 Acts, ch 180, §6](#); [95 Acts, ch 70, §2](#); [2023 Acts, ch 19, §2641](#)

C2024, §256.206

Section transferred from [§261.81](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

256.207 Eligibility and duties of institutions.

1. An eligible postsecondary education institution is an institution of higher education under the state board of regents, a community college, or an accredited private institution as defined in [section 256.183, subsection 1](#). The commission may enter into an agreement with an eligible postsecondary education institution under which the commission will make grants to the institution for the work-study program.

2. The participating institution shall:

a. File the proper forms with the commission for participation in the program.

b. Develop jobs that meet the requirements of the Iowa college work-study program. To the extent possible, the job should complement the student's educational program and career goal.

c. Supervise and evaluate employment and maintain the records required by the commission.

d. Participate in the federal work-study program.

[85 Acts, ch 219, §3](#)

CS85, §261.83

[90 Acts, ch 1253, §121](#); [2010 Acts, ch 1061, §180](#); [2023 Acts, ch 19, §2641](#)

C2024, §256.207

Section transferred from [§261.83](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

256.208 Student eligibility.

In order to be eligible, a student must:

1. Be a citizen of the United States and a resident of this state.

2. Be enrolled and making satisfactory academic progress or accepted for enrollment at an eligible postsecondary institution on a half-time or greater basis.

3. Demonstrate financial need. A student's need shall be determined on the basis of a need analysis system approved for use by the commission or under the federal work-study program.

4. Have not defaulted on an Iowa guaranteed loan payment or on a loan guaranteed by the federal government.

[85 Acts, ch 219, §4](#)

CS85, §261.84

89 Acts, ch 300, §19, 26; 2023 Acts, ch 19, §2641

C2024, §256.208

Section transferred from §261.84 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2641

256.209 Appropriation.

1. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of two million seven hundred fifty thousand dollars for the work-study program.

2. From moneys appropriated in [this section](#), one million five hundred thousand dollars shall be allocated to institutions of higher education under the state board of regents and community colleges and the remaining moneys appropriated in [this section](#) shall be allocated by the commission on the basis of need as determined by the portion of the federal formula for distribution of work-study funds that relates to the current need of institutions.

87 Acts, ch 233, §463

CS87, §261.85

88 Acts, ch 1284, §32; 89 Acts, ch 319, §58; 90 Acts, ch 1272, §58; 91 Acts, ch 260, §909; 91 Acts, ch 267, §219; 92 Acts, ch 1246, §33; 93 Acts, ch 179, §22; 95 Acts, ch 218, §24; 2000 Acts, ch 1223, §29; 2023 Acts, ch 19, §2641; 2023 Acts, ch 64, §40

C2024, §256.209

State funding for certain fiscal years eliminated; 2015 Acts, ch 140, §5, 24; 2017 Acts, ch 172, §4, 49; 2019 Acts, ch 135, §4; 2020 Acts, ch 1121, §1; 2021 Acts, ch 170, §4; 2022 Acts, ch 1149, §4; 2023 Acts, ch 111, §9

Section transferred from §261.85 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2641

Subsection 2 amended

SUBPART G

COLLEGE STUDENT AID COMMISSION — NATIONAL GUARD EDUCATIONAL ASSISTANCE

256.210 National guard service scholarship program.

1. A national guard service scholarship program is established to be administered by the college student aid commission for members of the Iowa national guard who are enrolled as undergraduate students in a community college, an institution of higher learning under the state board of regents, or an accredited private institution. The college student aid commission shall adopt rules pursuant to [chapter 17A](#) to administer [this section](#). An individual is eligible for the national guard service scholarship program if the individual meets all of the following conditions:

a. Is a resident of the state and a member of an Iowa army or air national guard unit while receiving scholarship award payments issued pursuant to [this section](#).

b. Satisfactorily completed required initial active duty training.

c. Maintains satisfactory performance of duty upon return from initial active duty training, including attending a minimum ninety percent of scheduled drill dates and attending annual training.

d. Is enrolled as an undergraduate student in a community college as defined in [section 260C.2](#), an institution of higher learning under the control of the board of regents, or an accredited private institution as defined in [section 256.183](#), and is maintaining satisfactory academic progress.

e. Provides proper notice of national guard status to the community college or institution at the time of registration for the term in which tuition benefits are sought.

f. Completes and submits application forms required by the commission, including the free application for federal student aid, and applies for all nonrepayable state and federal financial aid for which the member is eligible.

g. Submits an application to the adjutant general of Iowa, on forms prescribed by the adjutant general, who shall determine eligibility and whose decision is final. Notwithstanding any deadline established for the administration of this paragraph, the adjutant general

shall accept an application submitted pursuant to this paragraph from an otherwise eligible member of the national guard who was on federal active duty at the time of such deadline.

2. Scholarship awards paid pursuant to [this section](#) shall not exceed the resident tuition rate established for institutions of higher learning under the control of the state board of regents. If the amount appropriated in a fiscal year for purposes of [this section](#) is insufficient to provide scholarships to all national guard members who apply for the program and who are determined by the adjutant general to be eligible for the program, the adjutant general shall, in coordination with the commission, determine the distribution of scholarships. However, scholarship awards paid pursuant to [this section](#) shall not be less than fifty percent of the resident tuition rate established for institutions of higher learning under the control of the state board of regents or fifty percent of the tuition rate at the institution attended by the national guard member, whichever is lower. Neither eligibility nor scholarship award determinations shall be based upon a national guard member's unit, the location at which drills are attended, or whether the eligible individual is a member of the Iowa army or air national guard.

3. a. (1) Except as provided in subparagraph (2), an eligible member of the national guard, attending an institution as provided in [subsection 1](#), paragraph "d", shall not receive scholarship awards under [this section](#) for more than one hundred twenty semester, or the equivalent, credit hours of undergraduate study.

(2) An eligible member of the national guard, attending an institution as provided in [subsection 1](#), paragraph "d", who is enrolled in a program of education leading to a postsecondary degree that meets the eligibility requirements for the federal Edith Nourse Rogers STEM scholarship established under 38 U.S.C. §3320, shall not receive scholarship awards issued under [this section](#) for more than one hundred thirty semester, or the equivalent, credit hours of undergraduate study.

(3) A national guard member who has met the educational requirements for a baccalaureate degree is ineligible for a scholarship award under [this section](#).

b. A member of the national guard who received educational assistance under [this section](#) prior to July 1, 2015, shall be deemed to have received educational assistance for the following number of credit hours for educational assistance received before that date:

(1) For each semester that the member received educational assistance while attending an institution as a full-time student, twelve credit hours.

(2) For each semester that the member received educational assistance while attending an institution as a part-time student, six credit hours.

(3) For each trimester or quarter that the member received educational assistance while attending an institution as a full-time or part-time student, the number of credit hours that are determined to be the semester equivalent by the college student aid commission.

4. The eligibility of applicants and scholarship award amounts to be paid shall be certified by the adjutant general of Iowa to the college student aid commission, and all amounts that are or become due to a community college, accredited private institution, or institution of higher learning under the control of the state board of regents under [this section](#) shall be paid to the college or institution by the college student aid commission upon receipt of certification by the president or governing board of the educational institution as to accuracy of charges made, and as to the attendance and academic progress of the individual at the educational institution. The college student aid commission shall maintain an annual record of the number of participants and the dollar value of the awards issued.

5. Scholarships awarded under [this section](#) may be used by the recipient for the recipient's "cost of attendance" as defined in Tit. IV, pt. B, of the federal Higher Education Act of 1965 as amended.

6. a. Notwithstanding [section 8.33](#), funds appropriated for purposes of [this section](#) which remain unencumbered or unobligated at the close of the fiscal year for which the funds were appropriated shall not revert but shall be available for expenditure for the following fiscal year upon the authority of the adjutant general for purposes of [this section](#) and [section 256.211](#).

b. The adjutant general shall submit a report to the governor and the general assembly by December 31 of each year listing the science, technology, engineering, and mathematics-related career fields the adjutant general plans to focus on in providing

educational incentives under [this section](#) and [section 256.211](#) using funds available under [this subsection](#) for that fiscal year.

99 Acts, ch 205, §40

CS99, §261.86

2000 Acts, ch 1095, §15; 2003 Acts, ch 182, §14, 22; 2010 Acts, ch 1061, §180; 2011 Acts, ch 48, §1, 2; 2013 Acts, ch 46, §1; 2015 Acts, ch 9, §1; 2016 Acts, ch 1029, §1; 2016 Acts, ch 1132, §10, 19, 20; 2018 Acts, ch 1163, §14; 2019 Acts, ch 24, §32; 2019 Acts, ch 135, §14 – 16; 2020 Acts, ch 1062, §73 – 75; 2021 Acts, ch 65, §4; 2023 Acts, ch 19, §2641

C2024, §256.210

Referred to in [§256.211](#)

Section transferred from [§261.86](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

256.211 National guard STEM-related recruitment and retention incentive programs.

1. *a.* The adjutant general has the authority under [this section](#) to authorize the expenditure of unencumbered or unobligated funds as described in [section 256.210, subsection 6](#), to recruit or retain individuals who have completed or are pursuing training in science, technology, engineering, and mathematics-related military occupational specialties or air force specialty codes by issuing awards through a national guard student loan repayment program in accordance with [subsection 2](#) or by providing a scholarship award to an eligible member of the national guard who is enrolled at an institution defined in [section 256.210, subsection 1](#), paragraph “d”, in a master’s degree program that is in compliance with the federal Edith Nourse Rogers STEM scholarship program established under 38 U.S.C. §3320 in accordance with the requirements of [subsection 3](#).

b. The adjutant general can offer a recruitment or retention incentive as authorized by [this section](#) in either the military entrance process or within the final year of the service member’s initial contract obligation pending the service member signing a six-year extension.

2. *a.* A national guard student loan repayment program is established to be administered by the college student aid commission. Funds for loan repayment awards under the program shall be expended upon the authority of the adjutant general.

b. An individual is eligible for a loan repayment award under [this subsection](#) if the individual meets all of the following conditions:

(1) Is a resident of the state and a member of an Iowa army or air national guard unit while receiving loan repayment awards issued pursuant to [this subsection](#).

(2) Satisfactorily completed required initial active duty training.

(3) Maintains satisfactory performance of duty upon return from initial active duty training, including attending a minimum ninety percent of scheduled drill dates and attending annual training.

c. An applicant for an award under [this subsection](#) shall, in accordance with the rules promulgated by the college student aid commission, do all of the following:

(1) Complete and file an application for national guard student loan repayment. The individual shall be responsible for the prompt submission of any information required by the national guard and the college student aid commission.

(2) File a new application and submit information as required by the national guard and the college student aid commission annually on the basis of which the applicant’s eligibility for the renewed loan repayment will be evaluated and determined.

d. The annual amount of an award to an applicant under [this subsection](#) shall not exceed five thousand dollars or one hundred percent of the applicant’s total federally guaranteed Stafford loan amount under the federal family education loan program or the federal direct loan program, the applicant’s federal grad plus loans, or the applicant’s federal Perkins loans, including principal and interest, whichever is less. An applicant shall be eligible for a loan repayment award under [this subsection](#) for not more than six consecutive years.

3. An applicant for a master’s degree scholarship award as described in [subsection 1](#) shall meet the criteria as provided in [section 256.210, subsection 1](#), except that the applicant can be enrolled in a master’s degree program. The provisions of [section 256.210, subsections 2, 4, and 5](#), shall also apply to scholarship awards made under [this subsection](#). A scholarship

award provided to a recipient enrolled in a master's degree program under [this subsection](#) shall be limited to thirty-six, or equivalent, credit hours of graduate study.

[2021 Acts, ch 65, §5](#)

C2022, §261.86A

[2023 Acts, ch 19, §2641](#)

C2024, §256.211

Referred to in [§256.210](#)

Section transferred from [§261.86A](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

SUBPART H

ALL IOWA OPPORTUNITY SCHOLARSHIPS

256.212 All Iowa opportunity scholarship program and fund.

1. *Definitions.* As used in [this subpart](#), unless the context otherwise requires:

a. “*Commission*” means the college student aid commission.

b. “*Eligible foster care student*” means a person under twenty-six years of age who has a high school diploma or a high school equivalency diploma under [chapter 259A](#) and is described by any of the following:

(1) Is age seventeen and is in a court-ordered placement under [chapter 232](#) under the care and custody of the department of health and human services or juvenile court services.

(2) Is age seventeen and has been placed in a state juvenile institution pursuant to a court order entered under [chapter 232](#) under the care and custody of the department of health and human services.

(3) Is described by any of the following:

(a) On the date the person reached age eighteen or during the thirty calendar days preceding or succeeding that date, the person was in a licensed foster care placement pursuant to a court order entered under [chapter 232](#) under the care and custody of the department of health and human services or juvenile court services.

(b) On the date the person reached age eighteen or during the thirty calendar days preceding or succeeding that date, the person was under a court order under [chapter 232](#) to live with a relative or other suitable person.

(c) The person was in a licensed foster care placement pursuant to an order entered under [chapter 232](#) prior to being legally adopted after reaching age sixteen.

(d) On the date the person reached age eighteen or during the thirty calendar days preceding or succeeding that date, the person was placed in a state juvenile institution pursuant to a court order entered under [chapter 232](#) under the care and custody of the department of health and human services.

c. “*Eligible institution*” means a community college established under [chapter 260C](#) or an institution of higher learning governed by the state board of regents.

d. “*Eligible surviving-child student*” means a qualified student who is not a convicted felon as defined in [section 910.15](#) and who meets any of the following criteria:

(1) Is the child or stepchild of a peace officer, as defined in [section 97A.1](#), who was killed in the line of duty as determined by the board of trustees of the Iowa department of public safety peace officers’ retirement, accident, and disability system in accordance with [section 97A.6, subsection 16](#).

(2) Is the child or stepchild of a police officer or a fire fighter, as each is defined in [section 411.1](#), who was killed in the line of duty as determined by the statewide fire and police retirement system in accordance with [section 411.6, subsection 15](#).

(3) Is the child or stepchild of a sheriff or deputy sheriff as each is defined in [section 97B.49C](#), who was killed in the line of duty as determined by the Iowa public employees’ retirement system in accordance with [section 97B.52, subsection 2](#).

(4) Is the child or stepchild of a fire fighter or police officer included under [section 97B.49B](#), who was killed in the line of duty as determined by the Iowa public employees’ retirement system in accordance with [section 97B.52, subsection 2](#).

(5) Is the child or stepchild of an employee of the Iowa department of corrections, or of a judicial district department of correctional services, who was killed in the line of duty.

e. "Financial need" means the difference between the student's financial resources available, including those available from the student's parents as determined by a completed parents' confidential statement, and the student's anticipated expenses while attending an eligible institution.

f. "Full-time resident student" means an individual resident of Iowa who is enrolled at an eligible institution in a program of study including at least twelve semester hours or the trimester or quarter equivalent.

g. "Part-time resident student" means an individual resident of Iowa who is enrolled at an eligible institution in a program of study including at least three semester hours or the trimester or quarter equivalent.

h. "Qualified student" means a resident student who has established financial need and who is meeting all program requirements.

i. "Stepchild" means the same as defined in [section 450.1](#).

2. *Program — eligibility.* An all Iowa opportunity scholarship program is established to be administered by the commission. The awarding of scholarships under the program is subject to appropriations made by the general assembly. A person who meets all of the following requirements is eligible for the program:

a. Is a resident of Iowa and a citizen of the United States or a lawful permanent resident.

b. Applies in a timely manner for admission to an eligible institution and is accepted for admission.

c. Applies in a timely manner for any federal or state student financial assistance available to the student to attend an eligible institution.

d. Files a new application and parents' confidential statement, as applicable, annually on the basis of which the applicant's eligibility for a renewed scholarship will be evaluated and determined.

e. Maintains satisfactory academic progress during each term for which a scholarship is awarded.

f. (1) Except as provided in subparagraph (2), begins enrollment at an eligible institution within two academic years of graduation from high school or receipt of a high school equivalency diploma under [chapter 259A](#) and continuously receives awards as a full-time or part-time student to maintain eligibility. However, the student may defer or suspend participation in the program for up to two years in order to pursue obligations that meet conditions established by the commission by rule or to fulfill military obligations.

(2) The requirements of subparagraph (1) do not apply to an eligible foster care student.

3. *Priority for scholarship awards.* Priority for scholarships under [this section](#) shall be given to eligible foster care students, then to eligible surviving-child students, who meet the eligibility criteria under [subsection 2](#). Following distribution to students who meet the eligibility criteria under [subsection 2](#), the commission may establish priority for awarding scholarships using any moneys that remain in the all Iowa opportunity scholarship fund.

4. *Extent of scholarship.* A qualified student at an eligible institution may receive scholarships for not more than the equivalent of eight full-time semesters of undergraduate study, excluding summer semesters. A qualified student attending part-time may receive scholarships for not more than the equivalent of sixteen part-time semesters of undergraduate study. Scholarships awarded pursuant to [this section](#) shall not exceed the least of the following amounts, as determined by the commission:

a. The student's financial need.

b. One-half of the average resident tuition rate and mandatory fees established for institutions of higher learning governed by the state board of regents.

5. *Discontinuance of attendance — remittance.* If a student receiving a scholarship pursuant to [this section](#) discontinues attendance before the end of any academic term, the entire amount of any refund due to the student, up to the amount of any payments made by the state, shall be remitted by the eligible institution to the commission. The commission shall deposit refunds paid to the commission in accordance with [this subsection](#) into the fund established pursuant to [subsection 6](#).

6. *Fund established.* An all Iowa opportunity scholarship fund is created in the state treasury as a separate fund under the control of the commission. All moneys deposited or paid into the fund are appropriated and made available to the commission to be used for scholarships for students meeting the requirements of [this section](#). Notwithstanding [section 8.33](#), any balance in the fund on June 30 of each fiscal year shall not revert to the general fund of the state, but shall be available for purposes of [this section](#) in subsequent fiscal years.

[2007 Acts, ch 214, §28](#)

CS2007, §261.87

[2009 Acts, ch 177, §28](#); [2015 Acts, ch 140, §47, 58, 59](#); [2016 Acts, ch 1034, §1](#); [2017 Acts, ch 54, §76](#); [2017 Acts, ch 172, §20 – 24](#); [2018 Acts, ch 1172, §80, 81](#); [2019 Acts, ch 32, §1, 2](#); [2021 Acts, ch 9, §1](#); [2021 Acts, ch 170, §17 – 19, 25](#); [2023 Acts, ch 19, §1017, 2629, 2641](#); [2023 Acts, ch 111, §20 – 22](#)

C2024, §256.212

Program to be expanded to include accredited private institutions if moneys appropriated exceed \$500,000; [2015 Acts, ch 140, §2, 21](#); [2016 Acts, ch 1132, §2](#); [2017 Acts, ch 172, §2](#); [2018 Acts, ch 1163, §2](#); [2019 Acts, ch 135, §2](#); [2020 Acts, ch 1121, §1](#); [2021 Acts, ch 170, §2](#); [2022 Acts, ch 1149, §2](#); [2023 Acts, ch 111, §2](#)

Subsection 1, paragraph d, subparagraph (5) and subsection 1, paragraph i apply retroactively to July 1, 2020; [2021 Acts, ch 170, §25](#)
2023 amendments to subsection 1, paragraph b, unnumbered paragraph 1, and subsection 2, paragraph f, by [2023 Acts, ch 111](#), apply to applications submitted under the all Iowa opportunity scholarship program established pursuant to this section before, on, or after July 1, 2023; [2023 Acts, ch 111, §22](#)

See Code editor's note on simple harmonization at the beginning of this Code volume

Section transferred from §261.87 in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

Subsection 1, unnumbered paragraph 1 amended

Subsection 1, paragraph b amended

Subsection 2, paragraph f amended

SUBPART I

MINORITY ACADEMIC GRANTS FOR ECONOMIC SUCCESS

256.213 Legislative intent.

The general assembly finds that the failure of many young Iowans to complete their education limits their opportunity for a life of fulfillment and hinders the state's efforts to provide a well-trained workforce for business and industry in Iowa. The general assembly also declares that it is the policy of this state to apply positive measures to ensure that equal opportunities exist for minority persons to pursue their educational goals. Therefore, the "Iowa Minority Academic Grants for Economic Success" program is established to provide additional funding to the state board of regents institutions, community colleges, and accredited private institutions in order to encourage resident minority students to remain in Iowa, to attend community colleges, private colleges, and universities in Iowa, and to assure that a limited family income will not be a barrier for a minority person to pursue a postsecondary education.

[89 Acts, ch 319, §53](#)

CS89, §261.101

[90 Acts, ch 1253, §14](#); [2023 Acts, ch 19, §2641](#)

C2024, §256.213

Referred to in [§262.9, 262.92](#)

Section transferred from [§261.101](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

256.214 Definitions.

1. "Accredited private institution" means an institution of higher education as defined in [section 256.183, subsection 1](#).

2. "Commission" means the college student aid commission.

3. "Financial need" means the difference between the student's financial resources, including resources available from the student's parents and the student, as determined by a completed parents' financial statement and including any noncampus-administered federal or state grants and scholarships, and the student's estimated expenses while attending the institution. A student shall accept all available federal and state grants and scholarships before being considered eligible for grants under the Iowa minority academic grants for economic success program. Financial need shall be reconsidered on at least an annual basis.

4. “*Full-time student*” means an individual who is enrolled at an accredited private institution, community college, or board of regents’ university for at least twelve semester hours or the trimester or quarter equivalent.

5. “*Minority person*” means an individual who is African American, Hispanic, Asian, or a Pacific Islander, American Indian, or an Alaskan Native American.

6. “*Part-time student*” means an individual who is enrolled at an accredited private institution, community college, or board of regents’ university in a course of study including at least three semester hours or the trimester or quarter equivalent of three semester hours.

7. “*Program*” means the Iowa minority academic grants for economic success program established in [this subpart](#).

[89 Acts, ch 319, §54](#)

CS89, §261.102

[90 Acts, ch 1253, §15, 122; 2009 Acts, ch 41, §103; 2017 Acts, ch 54, §76; 2023 Acts, ch 19, §2630, 2641](#)

C2024, §256.214

Referred to in [§262.82, 262.93](#)

Section transferred from [§261.102](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

Subsection 7 amended

256.215 Program qualifications.

1. A grant under the program may be awarded to any minority person who is a resident of Iowa, who is accepted for admission or is attending a board of regents’ university, community college, or an accredited private institution, and who demonstrates financial need. Applicants who receive vouchers under [section 262.92](#) shall be given priority in receiving grants under the program, but an applicant shall not be denied a grant because the applicant does not hold vouchers under the program in [section 262.92](#). For the fiscal year commencing July 1, 1990, and in subsequent years, grants shall be awarded to all minority persons, with priority to be given to those minority persons who are residents of Iowa.

2. Full-time students may receive grants for not more than eight semesters of undergraduate study or the trimester or quarter equivalent of eight semesters of undergraduate study. Part-time students may receive grants for not more than sixteen semesters of undergraduate study or the trimester or quarter equivalent of sixteen semesters of undergraduate study.

3. The amount of the grant shall not exceed a student’s yearly financial need or three thousand five hundred dollars, whichever is less. If the student is attending or seeking to enroll in an accredited private institution, fifty percent of the amount of the grant shall be provided by the accredited private institution and fifty percent shall be provided by the commission from state funds appropriated for that purpose.

4. Grants shall be awarded on an annual basis and shall be credited by the institution against the student’s tuition, fees, room, and board, at the beginning of each semester, trimester, or quarter in equal installments upon certification by the institution that the student is admitted and attending the institution.

5. If a student receiving a grant under the program discontinues attendance before the end of any academic period, but after receiving payment of grant moneys for the academic period, the entire amount of any refund due the student, up to the amount of any payments made by the state, shall be remitted by the private institution to the commission.

[89 Acts, ch 319, §55; 89 Acts, ch 322, §8](#)

CS89, §261.103

[90 Acts, ch 1253, §16; 2023 Acts, ch 19, §2641](#)

C2024, §256.215

Referred to in [§262.93](#)

Section transferred from [§261.103](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

256.216 Powers of the commission.

In administering the program for the community colleges and the private institutions, the commission shall:

1. Provide application forms to students enrolled and attending or seeking to enroll and attend community colleges or accredited private institutions.
2. Develop and provide confidential financial statement forms to the parents or guardians of students applying for grants under this program.
3. Approve and award grants to community colleges and accredited private institutions under the program.
4. Adopt rules for determining financial need and residency for the purpose of awarding grants to qualified students, and any other rules necessary for the administration of the program.
5. Report annually to the governor and the general assembly on the progress and implementation of the program.
6. Require postsecondary institutions that receive moneys from students awarded grants under the program to furnish any information necessary for the implementation or administration of the program.
7. Solicit and receive private contributions and federal grants available for purposes of the program.
8. Maintain records on the recipients of vouchers under [section 262.92](#) and adopt rules to provide for the giving of priority to students holding vouchers under that section.
9. Administer funds appropriated for the Iowa minority academic grants for economic success program to carry out the duties of the commission.
10. Provide for the prororation of funds among qualified applicants if funds available are insufficient to pay all approved grants.

[89 Acts, ch 319, §56](#)

CS89, §261.104

[90 Acts, ch 1253, §17; 2023 Acts, ch 19, §2641](#)

C2024, §256.216

Referred to in [§262.93](#)

Section transferred from [§261.104](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

256.217 Duties of applicant.

An applicant for a grant under the program shall:

1. Complete and file an application for a grant on forms provided by the commission or regents institutions.
2. Submit the financial information required for evaluation of the applicant's financial need for a grant.
3. Comply with rules and information requests of the commission or regents institutions made in relation to the program.

[89 Acts, ch 319, §57](#)

CS89, §261.105

[2023 Acts, ch 19, §2641](#)

C2024, §256.217

Referred to in [§262.93](#)

Section transferred from [§261.105](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

SUBPART J

TEACH IOWA SCHOLAR GRANTS AND TEACHER SHORTAGE FORGIVABLE LOAN AND LOAN FORGIVENESS PROGRAMS

256.218 Teach Iowa scholar program.

1. A teach Iowa scholar program is established to provide teach Iowa scholar grants to selected high-caliber teachers.
2. An Iowa resident or nonresident applicant shall be eligible for a teach Iowa scholar grant if the applicant meets all of the criteria specified under, or established in accordance with, [subsection 3](#). Priority shall be given to applicants who are residents of Iowa. A person is ineligible for this program if the person receives a forgivable loan under [section 256.219](#) or loan forgiveness under [section 256.220](#).

3. Criteria for eligibility shall be established by the commission and shall include but are not limited to the following:

a. The applicant was in the top twenty-five percent academically of students exiting a teacher preparation program approved by the state board pursuant to [section 256.7, subsection 3](#), or a similar teacher preparation program in another state, or had earned other comparable academic credentials.

b. The applicant is preparing to teach in fields including but not limited to science, technology, engineering, or mathematics; English as a second language or special education instruction; or is preparing to teach in a hard-to-staff subject as identified by the department. The department shall take into account the varying regional needs in the state for teachers in these subject areas when applying the criterion of this paragraph. The department shall annually identify and designate hard-to-staff subjects for the purpose of this paragraph. The eligibility of an applicant who receives a teach Iowa scholar grant and who is preparing to teach in a hard-to-staff subject as identified by the department shall not be affected in subsequent years if the department does not continue to identify that subject as a hard-to-staff subject.

c. The applicant met all of the eligibility requirements of [this section](#) on or after January 1, 2013. A person who met the program eligibility requirements of [this section](#) prior to January 1, 2013, is ineligible for this program.

4. A selected applicant who meets all of the eligibility requirements of [this section](#) shall be eligible for a teach Iowa scholar grant for each year of full-time employment completed in this state as a teacher for a school district, charter school, area education agency, or accredited nonpublic school. A teach Iowa scholar grant shall not exceed four thousand dollars per year per recipient. Grants awarded under [this section](#) shall not exceed a total of twenty thousand dollars per recipient over a five-year period. If a selected applicant has received a federally guaranteed Stafford loan under the federal family education loan program or the federal direct loan program, a federal direct plus loan, or a federal Perkins loan, the selected applicant may elect to have the commission make payment under the program directly to the selected applicant's student loan holder.

5. The commission shall adopt rules pursuant to [chapter 17A](#) to administer [this section](#). The rules shall include but shall not be limited to a process for use by the commission to determine which eligible applicants will receive teach Iowa scholar grants.

6. A teach Iowa scholar fund is established in the state treasury. The fund shall be administered by the commission and shall consist of moneys appropriated by the general assembly and any other moneys received by the commission for deposit in the fund, including payments collected by the commission pursuant to [section 256.219, subsection 7](#). The moneys in the fund are appropriated to the commission for the teach Iowa scholar program. Notwithstanding [section 8.33](#), moneys in the fund at the close of the fiscal year shall not revert to the general fund of the state but shall remain available for expenditure for the teach Iowa scholar program for subsequent fiscal years. Notwithstanding [section 12C.7, subsection 2](#), interest or earnings on moneys in the fund shall be credited to the fund.

2013 Acts, ch 121, §46

C2014, §261.110

2014 Acts, ch 1135, §15; 2015 Acts, ch 138, §16, 161, 162; 2017 Acts, ch 150, §1, 3, 4; 2021 Acts, ch 129, §1; 2023 Acts, ch 19, §2631, 2632, 2641

C2024, §256.218

Referred to in [§256.219, 256.220](#)

Section transferred from [§261.110](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

Subsections 1 and 5 amended

Subsection 3, paragraph a amended

256.219 Teacher shortage forgivable loan program.

1. A teacher shortage forgivable loan program is established to be administered by the college student aid commission. An individual is eligible for the forgivable loan program if the individual is a resident of this state who is enrolled as a sophomore, junior, senior, or graduate student in an approved practitioner preparation program in a designated area in

which teacher shortages are anticipated at an institution of higher learning under the control of the state board of regents or an accredited private institution as defined in [section 256.183](#).

2. The director shall annually designate the areas in which teacher shortages are anticipated. The director shall periodically conduct a survey of school districts, accredited nonpublic schools, and approved practitioner preparation programs to determine current shortage areas and predict future shortage areas.

3. Each applicant shall, in accordance with the rules of the commission, do the following:

a. Complete and file an application for a teacher shortage forgivable loan. The individual shall be responsible for the prompt submission of any information required by the commission.

b. File a new application and submit information as required by the commission annually on the basis of which the applicant's eligibility for the renewed forgivable loan will be evaluated and determined.

4. Forgivable loans to eligible students shall not become due until after the student graduates or leaves school. The individual's total loan amount, including principal and interest, shall be reduced by twenty percent for each year in which the individual remains an Iowa resident and is employed in Iowa by a school district or an accredited nonpublic school as a practitioner in the teacher shortage area for which the loan was approved. If the commission determines that the person does not meet the criteria for forgiveness of the principal and interest payments, the commission shall establish a plan for repayment of the principal and interest over a ten-year period. If a person required to make the repayment does not make the required payments, the commission shall provide for payment collection.

5. The annual amount of a teacher shortage forgivable loan shall not exceed the resident tuition rate established for institutions of higher education governed by the state board of regents, or the amount of the student's established financial need, whichever is less.

6. The commission shall prescribe by rule the interest rate for the forgivable loan.

7. The commission shall deposit payments made by forgivable loan recipients who do not fulfill the conditions of the forgivable loan program in the teach Iowa scholar fund established pursuant to [section 256.218, subsection 6](#), to be used for the purposes of the teach Iowa scholar program.

8. For purposes of [this section](#), unless the context otherwise requires, "teacher" means the same as defined in [section 256.145](#).

9. The commission shall submit in a report to the general assembly by January 1, annually, the number of students who received forgivable loans pursuant to [this section](#), which institutions the students were enrolled in, and the amount paid to each of the institutions on behalf of the students who received forgivable loans pursuant to [this section](#) and the total amount of loans outstanding, including a schedule of years remaining on the outstanding loans.

[98 Acts, ch 1215, §39](#)

[C99, §261.111](#)

[99 Acts, ch 205, §41; 2006 Acts, ch 1180, §21, 22; 2007 Acts, ch 214, §29, 30; 2021 Acts, ch 129, §2; 2023 Acts, ch 19, §2633, 2641](#)

[C2024, §256.219](#)

Referred to in [§256.218, 256.220](#)

Section transferred from [§261.111](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

Subsection 2 amended

256.220 Teacher shortage loan forgiveness program.

1. A teacher shortage loan forgiveness program is established to be administered by the commission. A teacher is eligible for the program if the teacher is practicing in a teacher shortage area as designated by the department pursuant to [subsection 2](#). A person is ineligible for this program if the person receives a grant under [section 256.218](#) or a forgivable loan under [section 256.219](#). For purposes of [this section](#), "teacher" means an individual holding a practitioner's license issued under [part 3](#), who is employed in a nonadministrative position in a designated shortage area by a school district or area education agency pursuant to a contract issued by a board of directors under [section 279.13](#).

2. The director shall annually designate the geographic or subject areas experiencing

teacher shortages. The director shall periodically conduct a survey of school districts, accredited nonpublic schools, and approved practitioner preparation programs to determine current shortage areas.

3. Each applicant for loan forgiveness shall, in accordance with the rules of the commission, do the following:

a. Complete and file an application for teacher shortage loan forgiveness. The individual shall be responsible for the prompt submission of any information required by the commission.

b. File a new application and submit information as required by the commission annually on the basis of which the applicant's eligibility for the renewed loan forgiveness will be evaluated and determined.

c. Complete and return on a form approved by the commission an affidavit of practice verifying that the applicant is a teacher in an eligible teacher shortage area.

4. The annual amount of teacher shortage loan forgiveness shall not exceed the resident tuition rate established for institutions of higher learning governed by the state board of regents for the first year following the teacher's graduation from an approved practitioner preparation program, or twenty percent of the teacher's total federally guaranteed Stafford loan amount under the federal family education loan program or the federal direct loan program, including principal and interest, whichever amount is less. A teacher shall be eligible for the loan forgiveness program for not more than five years. However, practice by an eligible teacher in a teacher shortage area pursuant to [subsection 1](#) must be completed within ten years following graduation from the approved practitioner preparation program.

5. The commission shall submit in a report to the general assembly by January 1, annually, the number of individuals who received loan forgiveness pursuant to [this section](#), which shortage areas the teachers taught in, the amount paid to each program participant, and other information identified by the commission as indicators of outcomes from the program.

6. The commission shall adopt rules pursuant to [chapter 17A](#) to administer [this section](#).

[2007 Acts, ch 214, §31](#)

[CS2007, §261.112](#)

[2011 Acts, ch 36, §6](#); [2017 Acts, ch 150, §2 – 4](#); [2021 Acts, ch 129, §3](#); [2023 Acts, ch 19, §2634, 2641](#)

[C2024, §256.220](#)

Referred to in [§256.177](#), [256.218](#)

Section transferred from [§261.112](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

Subsections 1 and 2 amended

SUBPART K

OTHER LOAN REPAYMENT AND FORGIVENESS PROGRAMS — HEALTH PROFESSIONS

256.221 Rural Iowa primary care loan repayment program — fund — appropriations.

1. *Program established.* A rural Iowa primary care loan repayment program is established to be administered by the college student aid commission for purposes of providing loan repayments for medical students who agree to practice as physicians in service commitment areas for five years and meet the requirements of [this section](#).

2. *Eligibility.* An individual is eligible to apply to enter into a program agreement with the commission pursuant to [subsection 3](#) if the individual is enrolled full-time in and receives a recommendation from the state university of Iowa college of medicine or Des Moines university — osteopathic medical center in a curriculum leading to a doctor of medicine degree or a doctor of osteopathic medicine degree.

3. *Program agreements.* A program agreement shall be entered into by an eligible student and the commission during the eligible student's final year of study leading to a doctor of medicine or doctor of osteopathic medicine degree. Under the agreement, to receive loan repayments pursuant to [subsection 5](#), an eligible student shall agree to and shall fulfill all of the following requirements:

a. Receive a doctor of medicine or doctor of osteopathic medicine degree from an

eligible university and apply for, enter, and complete a residency program approved by the commission.

b. Apply for and obtain a license to practice medicine and surgery or osteopathic medicine and surgery in this state.

c. Complete the residency program requirement.

d. Within nine months of graduating from the residency program and receiving a permanent license in accordance with paragraph “b”, engage in the full-time or part-time practice of medicine and surgery or osteopathic medicine and surgery specializing in family medicine, pediatrics, psychiatry, internal medicine, obstetrics and gynecology, neurology, or general surgery for a period of five consecutive years in the service commitment area specified under [subsection 8](#), unless the loan repayment recipient receives a waiver from the commission to complete the years of practice required under the agreement in another service commitment area pursuant to [subsection 8](#).

4. *Priority to Iowa residents.* The commission shall give priority to eligible students who are residents of Iowa upon enrolling in the university.

5. *Loan repayment amounts.* The amount of loan repayment an eligible student who enters into an agreement pursuant to [subsection 3](#) shall receive if in compliance with obligations under the agreement shall be forty thousand dollars annually for an eligible loan if the total loan amount equals or exceeds two hundred thousand dollars. Payments made pursuant to an agreement entered into under [subsection 3](#) may be made for each year of eligible practice during a period of five consecutive years and shall not exceed a total of two hundred thousand dollars. If the total amount of an eligible student’s eligible loan upon graduation is less than two hundred thousand dollars, the commission shall divide the total amount of the eligible student’s eligible loan by five to determine the annual amount of loan repayment the loan recipient is eligible to receive.

6. *Refinanced loans.* A loan repayment recipient who refinances an eligible loan by obtaining a private educational loan may continue to receive loan repayment under [this section](#) if the amount of loan repayment does not exceed the lesser of the amount specified in [subsection 5](#) or the balance of the loan repayment amount the loan repayment recipient qualified to receive with the eligible loan.

7. *Program agreement limitation.* The commission shall not enter into more than twenty program agreements annually unless surplus funds are available. The percentage of agreements entered into pursuant to [subsection 3](#) by students attending eligible universities shall be evenly divided. However, if there are fewer applicants at one eligible university, eligible student applicants enrolled in other eligible universities may be awarded the remaining agreements.

8. *Selection of service commitment area.* A loan repayment recipient shall notify the commission of the recipient’s service commitment area prior to beginning practice in the area. The commission may waive the requirement that the loan repayment recipient practice in the same service commitment area for all five years.

9. *Rules for additional loan repayment.* The commission shall adopt rules to provide, in addition to loan repayment provided to eligible students pursuant to an agreement entered into under [subsection 3](#), and subject to the availability of surplus funds, loan repayment to a physician who received a doctor of medicine or doctor of osteopathic medicine degree from an eligible university as provided in [subsection 2](#), obtained a license to practice medicine and surgery or osteopathic medicine and surgery in this state, completed the physician’s residency program requirement, and is engaged in the full-time or part-time practice of medicine and surgery or osteopathic medicine and surgery specializing in a practice area listed in [subsection 3](#), paragraph “d”, in a service commitment area for a period of five consecutive years. The amount of loan repayment provided to a physician pursuant to [this subsection](#) shall be subject to the same limitations applicable to an eligible student under [subsection 5](#). The total amount of a physician’s eligible loans shall be established as of the date the physician applies for loan repayment pursuant to [this subsection](#).

10. *Part-time practice — agreement amended.* A person who entered into an agreement pursuant to [subsection 3](#) may apply to the commission to amend the agreement to allow the person to engage in a part-time practice specified in [subsection 3](#), paragraph “d”. For

agreements entered into pursuant to [subsection 3](#) prior to July 1, 2022, the commission and the person may consent to amend the agreement under which the person shall engage in the part-time practice of medicine and surgery or osteopathic medicine and surgery specializing in family medicine, pediatrics, psychiatry, internal medicine, obstetrics and gynecology, neurology, or general surgery in a service commitment area, for an extended period of part-time practice determined by the commission to be proportional to the amount of full-time practice remaining under the original agreement.

11. *Postponement and satisfaction of service obligation.*

a. The obligation to engage in practice in accordance with [subsection 3](#) shall be postponed for the following purposes:

(1) Active duty status in the armed forces, the armed forces military reserve, or the national guard.

(2) Service in volunteers in service to America.

(3) Service in the federal peace corps.

(4) A period of service commitment to the United States public health service commissioned corps.

(5) A period of religious missionary work conducted by an organization exempt from federal income taxation pursuant to section 501(c)(3) of the Internal Revenue Code.

(6) Any period of temporary medical incapacity during which the person obligated is unable, due to a medical condition, to engage in full-time or part-time practice as required under [subsection 3](#), paragraph “d”.

b. Except for a postponement under paragraph “a”, subparagraph (6), an obligation to engage in practice under an agreement entered into pursuant to [subsection 3](#), shall not be postponed for more than two years from the time the full-time or part-time practice was to have commenced under the agreement.

c. An obligation to engage in full-time or part-time practice under an agreement entered into pursuant to [subsection 3](#) shall be considered satisfied when any of the following conditions are met:

(1) The terms of the agreement are completed.

(2) The person who entered into the agreement dies.

(3) The person who entered into the agreement, due to a permanent disability, is unable to practice medicine and surgery or osteopathic medicine and surgery.

d. If a loan repayment recipient fails to fulfill the obligation to engage in practice in accordance with [subsection 3](#), the recipient shall be subject to repayment to the commission of the loan amount plus interest as specified by rule. A loan repayment recipient who fails to meet the requirements of the obligation to engage in practice in accordance with [subsection 3](#) may also be subject to repayment of moneys advanced by the service commitment area as provided in any agreement with the service commitment area.

12. *Trust fund established.* A rural Iowa primary care trust fund is created in the state treasury as a separate fund under the control of the commission. The commission shall remit all repayments made pursuant to [this section](#) to the rural Iowa primary care trust fund. All moneys deposited or paid into the trust fund are appropriated and made available to the commission to be used for meeting the requirements of [this section](#). Moneys in the fund up to the total amount that an eligible student or a physician may receive for an eligible loan in accordance with [this section](#) and upon fulfilling the requirements of [subsection 3](#) or [subsection 9](#), as applicable, shall be considered encumbered for the duration of the eligible student’s or physician’s obligation under [subsection 3](#) or [subsection 9](#), as applicable. Notwithstanding [section 8.33](#), any balance in the fund on June 30 of each fiscal year shall not revert to the general fund of the state, but shall be available for purposes of [this section](#) in subsequent fiscal years.

13. *Definitions.* For purposes of [this section](#):

a. “Eligible loan” means the physician’s total federally guaranteed Stafford loan amount under the federal family education loan program or the federal direct loan program, the recipient’s federal grad plus loans, or the recipient’s federal Perkins loan, including principal and interest.

b. “Eligible university” means either the state university of Iowa college of medicine or Des Moines university — osteopathic medical center.

c. “Part-time practice” means at least seventy percent of a forty-hour workweek.

d. “Service commitment area” means a city in Iowa that provides a twenty thousand dollar contribution for deposit in the rural Iowa primary care trust fund for each physician in the community who is participating in the loan repayment program and the city meets any of the following conditions:

(1) Is a city within a federal mental health shortage area, as designated by the health resources and services administration of the United States department of health and human services, if the physician participating in the loan repayment program specializes in psychiatry.

(2) Is a city in Iowa with a population of less than twenty-six thousand that is located more than twenty miles from a city with a population of fifty thousand. The commission shall determine the distance between cities by calculating the most direct driving route.

2012 Acts, ch 1108, §1; 2012 Acts, ch 1138, §58 – 60

C2013, §261.113

2013 Acts, ch 141, §14, 15; 2014 Acts, ch 1061, §7 – 10; 2014 Acts, ch 1135, §16, 17; 2016 Acts, ch 1038, §1; 2016 Acts, ch 1073, §87 – 89; 2020 Acts, ch 1007, §1 – 3, 7, 8; 2021 Acts, ch 21, §1 – 3; 2022 Acts, ch 1032, §48; 2022 Acts, ch 1134, §8 – 14; 2023 Acts, ch 19, §2641

C2024, §256.221

2020 amendments to section apply retroactively to January 1, 2019, for recipients of loan repayment; 2020 Acts, ch 1007, §8
Section transferred from §261.113 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2641

256.222 Reserved.

256.223 Health care professional recruitment program.

1. A health care professional recruitment program is established to be administered by the college student aid commission for students who graduate from an academic program at an eligible institution that leads to licensure as a health care professional. The program shall consist of a loan repayment program for health care professionals. The commission shall regularly adjust the service requirement under each aspect of the program to provide, to the extent possible, an equal financial benefit for each period of service required.

2. A health care professional shall be eligible for the loan repayment program if the health care professional agrees to practice in an eligible rural community in this state. Eligible institutions offering academic programs that lead to licensure as a health care professional shall recruit and place health care professionals in rural communities which have agreed to provide additional funds for the recipient’s loan repayment. The contract for the loan repayment shall stipulate the time period the recipient shall practice in an eligible rural community in this state. In addition, the contract shall stipulate that the recipient repay any funds paid on the recipient’s loan by the commission if the recipient fails to practice in an eligible rural community in this state for the required period of time.

3. A loan repayment recipient who refinances an eligible loan by obtaining a private educational loan may continue to receive loan repayment under [this section](#).

4. A health care professional recruitment fund is created in the state treasury as a separate fund under the control of the commission for deposit of moneys appropriated to or received by the commission for use under the program. Notwithstanding [section 8.33](#), any balance in the fund on June 30 of any fiscal year shall not revert to the general fund of the state but shall remain in the fund and be continuously available for loan repayment under the program. Notwithstanding [section 12C.7, subsection 2](#), interest or earnings on moneys deposited in the fund shall be credited to the fund.

5. For purposes of [this section](#):

a. “Eligible institution” means an institution of higher learning governed by the state board of regents, a community college established under [chapter 260C](#), or an accredited private institution as defined in [section 256.183](#).

b. “Eligible rural community” means a medically underserved rural community which

agrees to match state funds provided on at least a dollar-for-dollar basis for the loan repayment of a health care professional who practices in the community.

c. “*Health care professional*” means an advanced registered nurse practitioner, athletic trainer, occupational therapist, physician, physician assistant, podiatrist, registered nurse, or physical therapist who is licensed, accredited, registered, or certified to perform specified health care services consistent with state law.

6. The commission shall adopt rules pursuant to [chapter 17A](#) to administer [this section](#).

[C77, 79, 81, §261.19]

87 Acts, ch 115, §38; 89 Acts, ch 319, §46; 90 Acts, ch 1253, §122; 90 Acts, ch 1272, §51; 97 Acts, ch 134, §1; 2000 Acts, ch 1058, §30; 2000 Acts, ch 1095, §12; 2000 Acts, ch 1223, §27; 2004 Acts, ch 1175, §91; 2009 Acts, ch 177, §26; 2011 Acts, ch 132, §12, 106; 2012 Acts, ch 1132, §10; 2014 Acts, ch 1026, §71; 2014 Acts, ch 1061, §16

C2015, §261.115

2020 Acts, ch 1007, §4, 5, 7, 8; 2021 Acts, ch 117, §1 – 3; 2022 Acts, ch 1134, §15; 2023 Acts, ch 19, §2641

C2024, §256.223

2020 amendments to section apply retroactively to January 1, 2019, for recipients of loan repayment; 2020 Acts, ch 1007, §8
Section transferred from [§261.115](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

256.224 Health care award program.

1. *Definitions.* For purposes of [this section](#), unless the context otherwise requires:

a. “*Advanced registered nurse practitioner*” means a person licensed as a registered nurse under [chapter 152](#) or [152E](#) who is licensed by the board of nursing as an advanced registered nurse practitioner.

b. “*Nurse educator*” means a registered nurse who holds a master’s degree or doctorate degree and is employed by a community college, an accredited private institution, or an institution of higher education governed by the state board of regents as a faculty member to teach nursing at a nursing education program approved by the board of nursing pursuant to [section 152.5](#).

c. “*Physician assistant*” means a person licensed as a physician assistant under [chapter 148C](#).

d. “*Service commitment area*” means a city in Iowa with a population of less than twenty-six thousand that is located more than twenty miles from a city with a population of fifty thousand or more.

2. *Program established.* A health care award program is established to be administered by the commission for purposes of providing financial awards to registered nurses, advanced registered nurse practitioners, physician assistants, and nurse educators who practice full-time in a service commitment area or teach full-time or part-time in this state, as appropriate, and who are selected for the program in accordance with [this section](#). An applicant who is a member of the Iowa national guard is exempt from the service commitment area requirement, but shall submit an affidavit verifying the applicant is practicing full-time in this state. A part-time nurse educator must also practice as a registered nurse or an advanced registered nurse practitioner to qualify for an award under [this section](#).

3. *Application requirements.* Each applicant for an award shall, in accordance with the rules of the commission, do all of the following:

a. Complete and file an application for an award. The individual shall be responsible for the prompt submission of any information required by the commission.

b. File a new application and submit information as required by the commission annually on the basis of which the applicant’s eligibility for the renewed award will be evaluated and determined.

c. Complete and return, on a form approved by the commission, an affidavit of practice verifying that the applicant is a registered nurse, an advanced registered nurse practitioner, or a physician assistant who is practicing full-time in a service commitment area in this state or is a nurse educator who teaches full-time or part-time in this state. A part-time nurse educator must also practice as a registered nurse or an advanced registered nurse practitioner to qualify for an award under [this section](#). If practice in a service commitment area is required

as a condition of receiving an award, the affidavit shall specify the service commitment area in which the applicant is practicing full-time.

4. *Award amounts.* The annual amount of an award provided to a recipient under [this section](#) is six thousand dollars. A recipient is eligible for an award for not more than five consecutive years.

5. *Selection criteria.* The commission shall establish by rule the evaluation criteria to be used in evaluating applications submitted under [this section](#). Priority shall be given to applicants who are residents of Iowa and, if requested by the adjutant general, to applicants who are members of the Iowa national guard.

6. *Health care award fund.* A health care award fund is created for deposit of moneys appropriated to or received by the commission for use under the program. Notwithstanding [section 8.33](#), moneys deposited in the health care award fund shall not revert to any fund of the state at the end of any fiscal year but shall remain in the award fund and be continuously available for use under the program. Notwithstanding [section 12C.7, subsection 2](#), interest or earnings on moneys deposited in the health care award fund shall be credited to the fund.

7. *Report.* The commission shall submit in a report to the general assembly by January 1, annually, the number of individuals who received an award pursuant to [this section](#), where the participants practiced or taught, the amount paid to each program participant, and other information identified by the commission as indicators of outcomes of the program.

8. *Rules.* The commission shall adopt rules pursuant to [chapter 17A](#) to administer [this section](#).

2002 Acts, ch 1131, § 1

C2003, §261.23

2003 Acts, ch 108, §47; 2007 Acts, ch 214, §26; 2009 Acts, ch 118, §49, 50, 54; 2014 Acts, ch 1061, §16

C2015, §261.116

2018 Acts, ch 1163, §20; 2020 Acts, ch 1007, §6 – 8; 2022 Acts, ch 1134, §16; 2022 Acts, ch 1153, §11; 2023 Acts, ch 19, §2641; 2023 Acts, ch 66, §49

C2024, §256.224

Referred to in [§256.177](#)

2020 amendment to section applies retroactively to January 1, 2019, for recipients of loan repayment; 2020 Acts, ch 1007, §8

Section transferred from §261.116 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2641

Subsection 3, unnumbered paragraph 1 amended

256.225 Mental health professional loan repayment program.

1. *Definitions.* For purposes of [this section](#), unless the context otherwise requires:

a. “*Commission*” means the college student aid commission.

b. “*Eligible institution*” means an institution of higher learning governed by the state board of regents or an accredited private institution as defined in [section 256.183](#).

c. “*Eligible loan*” means a mental health professional’s total federally guaranteed Stafford loan amount under the federal family education loan program or the federal direct loan program, a mental health professional’s federal grad plus loans, or a mental health professional’s federal Perkins loan, including principal and interest.

d. “*Eligible practice area*” means a city in Iowa that is within a federal mental health shortage area, as designated by the health resources and services administration of the United States department of health and human services.

e. “*Mental health professional*” means a nonprescribing individual who meets all of the following qualifications:

(1) The individual holds at least a master’s degree from an eligible institution in a mental health field, including psychology, counseling and guidance, social work, marriage and family therapy, or mental health counseling.

(2) The individual holds a current Iowa license if practicing in a field covered by an Iowa licensure law.

(3) The individual has at least two years of post-degree clinical experience, supervised by another individual in the mental health field, in assessing mental health needs and problems and in providing appropriate mental health services.

(4) The individual is not eligible for the rural Iowa advanced registered nurse practitioner and physician assistant loan repayment program established pursuant to [section 261.114](#).*

f. “Part-time practice” means at least seventy percent of a forty-hour workweek.

2. *Program established.* A mental health professional loan repayment program is established to be administered by the commission for purposes of providing loan repayments for mental health professionals who agree to practice in an eligible practice area and meet the requirements of [this section](#).

3. *Program agreements.*

a. The mental health professional and the commission shall enter into a program agreement. Under the agreement, to receive loan repayments pursuant to [subsection 5](#), a mental health professional shall agree to and shall engage in either of the following:

(1) Full-time practice as a mental health professional in an eligible practice area for a period of five consecutive years after entering into the agreement.

(2) Part-time practice as a mental health professional in an eligible practice area for a period of seven consecutive years after entering into the agreement.

b. A mental health professional who entered into a program agreement pursuant to paragraph “a” may apply to the commission to amend the agreement to allow the mental health professional to switch to part-time practice or full-time practice, as applicable. The commission and the mental health professional may consent to amend the agreement under which the mental health professional shall engage in part-time practice in an eligible practice area for an extended period of part-time practice determined by the commission to be proportional to the amount of full-time practice remaining under the original agreement.

c. The commission shall give priority to mental health professionals who are residents of Iowa and, if requested by the adjutant general, to mental health professionals who are members of the Iowa national guard.

4. *Satisfaction of practice obligation.*

a. An obligation to engage in full-time or part-time practice under a program agreement entered into pursuant to [subsection 3](#) shall be considered satisfied when any of the following conditions is met:

(1) The terms of the agreement are completed.

(2) The individual who entered into the agreement dies.

(3) The individual who entered into the agreement, due to a permanent disability, is unable to practice as a mental health professional.

b. If a mental health professional fails to fulfill the obligation to engage in practice in accordance with [subsection 3](#), the mental health professional shall be subject to repayment to the commission of loan repayment amounts the commission paid to the mental health professional pursuant to [subsection 5](#) plus interest as specified by rule.

5. *Loan repayment amounts.* The annual amount of loan repayment the commission may make to a mental health professional who enters into a program agreement pursuant to [subsection 3](#), if the mental health professional is in compliance with obligations under the agreement, shall be eight thousand dollars for an eligible loan. The total amount of loan repayments from the commission to a mental health professional under [this subsection](#) shall not exceed forty thousand dollars.

6. *Refinanced loans.* A mental health professional who receives a loan repayment pursuant to [subsection 5](#) and who refinances an eligible loan by obtaining a private educational loan may continue to receive loan repayment under [this section](#) if the amount of loan repayment does not exceed the lesser of the amount specified in [subsection 5](#) or the balance of the loan repayment amount the mental health professional qualified to receive with the eligible loan.

7. *Mental health professional loan repayment fund.* A mental health professional loan repayment fund is created for deposit of moneys appropriated to or received by the commission for use under the mental health professional loan repayment program. Notwithstanding [section 8.33](#), moneys deposited in the mental health professional loan repayment fund shall not revert to any fund of the state at the end of any fiscal year but shall remain in the mental health professional loan repayment fund and be continuously available for loan repayment under the program. Notwithstanding [section 12C.7](#), [subsection 2](#),

interest or earnings on moneys deposited in the mental health professional loan repayment fund shall be credited to the fund.

8. *Report.* The commission shall submit in a report to the general assembly by January 1, annually, the number of mental health professionals who received loan repayment pursuant to [this section](#), where the mental health professionals practiced, the amount paid to each mental health professional, and other information identified by the commission as indicators of outcomes of the program.

9. *Rules.* The commission shall adopt rules pursuant to [chapter 17A](#) to administer [this section](#).

[2022 Acts, ch 1120, §1](#)

C2023, §261.117

[2023 Acts, ch 19, §2641](#); [2023 Acts, ch 64, §42](#)

C2024, §256.225

*Former Code section 261.114 was repealed by its own terms effective July 1, 2023; corrective legislation is pending

Section transferred from §261.117 in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

Subsection 1, paragraph e, subparagraph (4) amended

256.226 Rural veterinarian loan repayment program — fund — appropriations.

1. *Definitions.* For purposes of [this section](#), unless the context otherwise requires:

a. “*Eligible loan*” means the veterinarian’s total federally guaranteed Stafford loan amount under the federal family education loan program or the federal direct loan program, or the recipient’s federal grad plus loans, including principal and interest.

b. “*Practice of food supply veterinary medicine*” includes corporate and private practices devoted to food animal medicine, mixed animal medicine located in a rural area, food safety, epidemiology, public health, animal health, and other public and private practices that contribute to the production of a safe and wholesome food supply.

c. “*Rural service commitment area*” means a city in Iowa with a population of less than twenty-six thousand that is located more than twenty miles from a city with a population of fifty thousand or more and which provides a dollar contribution equivalent to twelve and one-half percent of the veterinarian’s total eligible loan amount upon graduation for deposit in the rural veterinary care trust fund.

d. “*Veterinary shortage area*” means a designated veterinary service shortage situation in Iowa identified and nominated by the state veterinarian, or recommended for designation in accordance with the federal National Veterinary Medical Service Act, 7 U.S.C. §3101 et seq., and published by the United States department of agriculture.

2. *Program established.* A rural veterinarian loan repayment program is established to be administered by the college student aid commission for purposes of providing loan repayments for individuals who agree to practice as veterinarians in rural service commitment areas or in veterinary shortage areas in Iowa for four years and meet the requirements of [this section](#). The commission shall adopt rules pursuant to [chapter 17A](#) to administer [this section](#). The commission may accept gifts, grants, bequests, and other private contributions, as well as state or federal moneys, for deposit in the fund created under [subsection 10](#).

3. *Eligibility.*

a. An individual is eligible to apply to enter into a program agreement with the commission if the individual meets any of the following requirements:

(1) Is enrolled in the final year of a doctor of veterinary medicine degree program at a college of veterinary medicine accredited by the American veterinary medical association council on education.

(2) Is a veterinarian licensed pursuant to [chapter 169](#) who, within five years of applying for this program, received a doctor of veterinary medicine degree from a college of veterinary medicine accredited by the American veterinary medical association council on education.

b. An individual who participated in and received loan repayment awards through the veterinary medicine loan repayment program administered by the United States department of agriculture, national institute of food and agriculture, is ineligible to enter into a program agreement under [this section](#).

4. *Program agreements.* A program agreement shall be entered into by an individual

and the commission if the individual meets the requirements of [subsection 3](#). Under the agreement, to receive loan repayments pursuant to [subsection 6](#), the individual shall fulfill all of the following requirements:

a. Receive or possess a doctor of veterinary medicine degree, or the equivalent, from a college of veterinary medicine accredited by the American veterinary medical association council on education.

b. Possess, or apply for and obtain, a license to practice veterinary medicine under [chapter 169](#).

c. Secure an offer of employment or establish and maintain a practice in a veterinary shortage situation or rural service commitment area and engage in the full-time practice of veterinary medicine for a period of four consecutive years after entering into the agreement in the veterinary shortage area or rural service commitment area, unless the loan repayment recipient receives a waiver from the commission to complete the years of practice required under the agreement in another veterinary shortage area or rural service commitment area pursuant to [subsection 7](#).

5. *Priority to certain applicants.* The commission shall give priority to applicants who graduated from a high school in Iowa or completed private instruction under [chapter 299A](#).

6. *Loan repayment amounts.*

a. Unless the agreement entered into under [subsection 4](#) stipulates otherwise, the amount of loan repayment an individual who enters into an agreement shall receive if in compliance with obligations under the agreement shall not exceed fifteen thousand dollars annually for an eligible loan. Payments under [this section](#) may be made for each year of eligible practice during a period of four consecutive years and shall not exceed a total of sixty thousand dollars or the amount of outstanding eligible loans, whichever amount is less.

b. Subject to the availability of funding for this purpose, the commission shall enter into at least five program agreements annually.

7. *Selection of rural service commitment area or veterinary shortage area.* A loan repayment recipient shall notify the commission of the recipient's rural service commitment area or veterinary shortage area prior to beginning practice in the area in accordance with [subsection 4](#), paragraph "c". The commission may waive the requirement that the loan repayment recipient practice in the same rural service commitment area or veterinary shortage area for all four years.

8. *Rural service commitment area or veterinarian shortage area priority.*

a. When possible, the commission shall enter into agreements under [subsection 4](#) with individuals who agree to practice in areas in the following priority order:

(1) Private practice food supply veterinary medicine in any veterinary shortage area.

(2) Private practice food supply veterinary medicine in a city in Iowa with a population of less than twenty-six thousand that is located more than twenty miles from a city with a population of fifty thousand or more, especially in remote or economically depressed rural areas.

(3) Animal veterinary medicine in a rural service commitment area.

b. Notwithstanding paragraph "a", the commission may consult with the state veterinarian to determine prioritization in accordance with [this subsection](#).

9. *Postponement and satisfaction of service obligation.*

a. The obligation to engage in practice in accordance with [subsection 4](#) shall be postponed for the following purposes:

(1) Active duty status in the armed forces, the armed forces military reserve, or the national guard.

(2) Service in volunteers in service to America.

(3) Service in the federal peace corps.

(4) A period of rural service commitment to the United States public health service commissioned corps.

(5) A period of religious missionary work conducted by an organization exempt from federal income taxation pursuant to section 501(c)(3) of the Internal Revenue Code.

(6) Any period of temporary medical incapacity during which the person obligated

is unable, due to a medical condition, to engage in full-time practice as required under [subsection 4](#), paragraph “c”.

b. Except for a postponement under paragraph “a”, subparagraph (6), an obligation to engage in practice under an agreement entered into pursuant to [subsection 4](#) shall not be postponed for more than two years from the time the full-time practice was to have commenced under the agreement.

c. An obligation to engage in full-time practice under an agreement entered into pursuant to [subsection 4](#) shall be considered satisfied when any of the following conditions are met:

- (1) The terms of the agreement are completed.
- (2) The person who entered into the agreement dies.
- (3) The person who entered into the agreement, due to a permanent disability, is unable to practice veterinary medicine.
- (4) The commission waives the requirement that the person who entered into the agreement fulfill the obligation to engage in practice.

d. If a loan repayment recipient fails to fulfill the obligation to engage in practice in accordance with [subsection 4](#), the recipient shall be subject to repayment to the commission of the loan amount plus interest as specified by rule. A loan repayment recipient who fails to meet the requirements of the obligation to engage in practice in accordance with [subsection 4](#) may also be subject to repayment of moneys advanced by the rural service commitment area as provided in any agreement with the rural service commitment area.

10. *Trust fund established.* A rural veterinary care trust fund is created in the state treasury as a separate fund under the control of the commission. The commission may accept gifts, grants, bequests, and other private contributions, as well as state or federal moneys, for deposit in the fund. The commission shall remit all repayments made pursuant to [this section](#) to the rural veterinary care trust fund. All moneys deposited or paid into the trust fund are appropriated and made available to the commission to be used for meeting the requirements of [this section](#) and increasing the number of veterinarians participating in the program. Moneys in the fund up to the total amount that an eligible individual may receive for an eligible loan in accordance with [this section](#) and upon fulfilling the requirements of [subsection 4](#), shall be considered encumbered for the duration of the agreement entered into pursuant to [subsection 4](#). Notwithstanding [section 8.33](#), any balance in the fund on June 30 of each fiscal year shall not revert to the general fund of the state, but shall be available for purposes of [this section](#) and to increase the number of veterinarians participating in the program in subsequent fiscal years.

[2020 Acts, ch 1049, § 1](#)

[C2021, §261.120](#)

[2021 Acts, ch 76, §53, 54; 2023 Acts, ch 19, §2641](#)

[C2024, §256.226](#)

Section transferred from [§261.120](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

SUBPART L

SKILLED WORKFORCE SHORTAGE TUITION GRANT PROGRAM

256.227 Skilled workforce shortage tuition grant program.

1. A skilled workforce shortage tuition grant may be awarded to any resident of Iowa who is admitted and in attendance as a full-time or part-time student in a career-technical or career option program to pursue an associate’s degree or other training at a community college in the state, and who establishes financial need.

2. Skilled workforce shortage tuition grants shall be awarded only to students pursuing a career-technical or career option program in an industry identified as having a shortage of skilled workers by a community college after conducting a regional skills gap analysis or as being a high-demand job by the department of workforce development in the department of workforce development’s most recent list of high-demand jobs. If a community college no longer identifies the industry as having a shortage of skilled workers or the department of

workforce development no longer identifies the industry as a high-demand job, an eligible student who received a grant for a career-technical or career option program based on that identification shall continue to receive the grant until achieving a postsecondary credential, up to an associate degree, as long as the student is continuously enrolled in that program and continues to meet all other eligibility requirements.

3. The amount of a skilled workforce shortage tuition grant shall not exceed the lesser of one-half of a student's tuition and fees for an approved career-technical or career option program or the amount of the student's established financial need.

4. All classes identified by the community college as required for completion of the student's approved career-technical or career option program shall be considered a part of the student's career-technical or career option program for the purpose of determining the student's eligibility for a grant. Notwithstanding [subsection 5](#), if a student is making satisfactory academic progress but the student cannot complete a career-technical or career option program in the time frame allowed for a student to receive a skilled workforce shortage tuition grant as provided in [subsection 5](#) because additional classes are required to complete the program, the student may continue to receive a skilled workforce shortage tuition grant for not more than one additional enrollment period.

5. a. A qualified full-time student may receive skilled workforce shortage tuition grants for not more than four semesters or the trimester or quarter equivalent of two full years of study. A qualified part-time student enrolled in a course of study including at least three semester hours but fewer than twelve semester hours or the trimester or quarter equivalent may receive skilled workforce shortage tuition grants for not more than eight semesters or the trimester or quarter equivalent of two full years of full-time study.

b. However, if a student resumes study after at least a two-year absence, the student may again be eligible for the specified amount of time, except that the student shall not receive assistance for courses for which credit was previously received.

6. A skilled workforce shortage tuition grant shall be awarded on an annual basis, requiring reapplication by the student for each year. Payments under the grant shall be allocated equally among the semesters or quarters of the year upon certification by the community college that the student is in full-time or part-time attendance in a career-technical or career option program consistent with the requirements of [this section](#). If the student discontinues attendance before the end of any term after receiving payment of the grant, the entire amount of any refund due that student, up to the amount of any payments made under the annual grant, shall be paid by the community college to the state.

7. If a student receives financial aid under any other program, the full amount of that financial aid shall be considered part of the student's financial resources available in determining the amount of the student's financial need for that period.

8. The commission shall administer this program and shall:

a. Provide application forms for distribution to students by Iowa high schools and community colleges.

b. Adopt rules for approving career-technical or career option programs in industries identified by the department of workforce development; determining financial need; defining residence for the purposes of [this section](#); processing and approving applications for grants; and determining priority for grants.

c. Approve and award grants on an annual basis.

d. Make an annual report to the governor and general assembly. The report shall include the number of students receiving assistance and the industries identified by the community colleges and by the department of workforce development for which students were admitted to a career-technical or career option program.

9. Each applicant, in accordance with the rules established by the commission, shall:

a. Complete and file an application for a skilled workforce shortage tuition grant.

b. Be responsible for the submission of the financial information required for evaluation of the applicant's need for a grant, on forms determined by the commission.

c. Report promptly to the commission any information requested.

d. Submit a new application for reevaluation of the applicant's eligibility to receive a second-year renewal of the grant.

2012 Acts, ch 1132, §20

C2013, §261.130

2019 Acts, ch 31, §1, 2; 2020 Acts, ch 1063, §102; 2023 Acts, ch 19, §2635, 2641

C2024, §256.227

Section transferred from §261.130 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2641

Subsection 2 amended

SUBPART M

FUTURE READY IOWA SKILLED WORKFORCE — SCHOLARSHIP AND GRANT PROGRAMS

256.228 Future ready Iowa skilled workforce last-dollar scholarship program.

1. *Definitions.* As used in [this section](#), unless the context otherwise requires:

a. “*Adult learner*” means a person who, following receipt of a high school diploma or high school equivalency diploma and on or after attaining the age of twenty, enrolls on a full-time or part-time basis in an eligible program at an eligible institution and maintains continuous enrollment on a full-time or part-time basis in subsequent terms to receive additional awards. A person's age for purposes of this paragraph shall be calculated on July 1 prior to the year of enrollment in an eligible institution.

b. “*Approved state-recognized work-based learning program*” means a structured educational and training program that includes authentic worksite training and is approved by the department according to a process established under rules adopted pursuant to [section 256.7, subsection 34](#).

c. “*Commission*” means the college student aid commission.

d. “*Credential*” means a postsecondary certificate, diploma, or degree, conferring no more than an associate degree, awarded by an eligible institution and earned in a program of study that leads to a high-demand job and is authorized for federal student aid under Tit. IV of the federal Higher Education Act of 1965, as amended.

e. “*Eligible institution*” means a community college as defined in [section 260C.2](#) or an accredited private institution as defined in [section 256.183](#), that meets all of the following criteria:

(1) Applies to and is approved by the commission to participate in the future ready Iowa skilled workforce last-dollar scholarship program.

(2) Requires eligible students to complete and file application forms required by the commission, apply for all available state and federal financial aid, apply to the eligible institution to participate in the program, attend orientation in person or virtually, register for classes with the assistance of an academic advisor, and participate in academic and career advising sessions offered under the program.

(3) Facilitates, in collaboration with the commission on volunteer service created in [section 15H.2](#), the assignment of a volunteer mentor to each eligible student, based on the eligible student's interest. The volunteer mentor shall have successfully passed a background investigation and a check of the national sex offender registry as required under [section 15H.10, subsection 2](#), and both the eligible student and the volunteer mentor shall have entered into a written agreement as provided in [section 15H.10, subsection 3](#).

(4) Facilitates connections through campus career centers and services to internships and similar local, state, and federal programs.

(5) Markets the eligible institution's future ready Iowa program of study and optional incentives, which may include but not be limited to credit for military experience, on the eligible institution's internet site and to other relevant agencies and organizations as recommended by the college student aid commission, the commission on volunteer service, or the department of workforce development.

(6) Submits annually information and data regarding the eligible program operated by the eligible institution, the students and volunteer mentors participating in the eligible

program, scholarship recipient eligible program completion results, and statistics on employment outcomes for eligible program participants by industry, to the commission in the manner required by the commission.

f. “*Eligible program*” means a program of study or an academic major jointly approved by the commission and the department of workforce development, in consultation with an eligible institution, that leads to a credential aligned with a high-demand job designated by the workforce development board or a community college pursuant to [section 84A.1B, subsection 14](#). If the board or a community college removes a high-demand job from a list created under [section 84A.1B, subsection 14](#), an eligible student who received a scholarship for a program based on that high-demand job shall continue to receive the scholarship until achieving a postsecondary credential, up to an associate degree, as long as the student continues to meet all other eligibility requirements.

g. “*Eligible student*” means an Iowa resident who meets all of the following requirements:

(1) Is any of the following:

(a) A graduate of an Iowa high school, or a person who completed private instruction under [chapter 299A](#), or a person who is a recipient of a high school equivalency diploma, and who prior to becoming an adult learner enrolls full-time or part-time during the academic year or summer semester in an eligible program at an eligible institution.

(b) A graduate of an Iowa high school or a person who completed private instruction under [chapter 299A](#), or a recipient of a high school equivalency diploma, and who prior to becoming an adult learner, enters into full-time or part-time employment as part of an approved state-recognized work-based learning program, and enrolls full-time or part-time in an eligible program in an eligible institution.

(c) An adult learner who is at least age twenty at the beginning of the state fiscal year, who has received a high school diploma or a high school equivalency diploma, and who enrolls in an eligible program in an eligible institution as a full-time or part-time student.

(2) Completes and submits application forms required by the commission, including the free application for federal student aid; applies for all available state and federal financial aid; attends orientation in person or virtually; registers for classes with the assistance of an academic advisor; and participates in academic and career advising sessions required under the eligible program. To receive a renewal of a scholarship awarded under [this section](#), an eligible student must annually submit a new application to the commission for reevaluation of eligibility.

(3) Is making satisfactory academic progress as defined by the eligible institution.

(4) Remains continuously enrolled unless granted a leave of absence by the eligible institution based on criteria adopted by rule by the commission.

h. “*Full-time*” means enrollment in at least twelve semester hours or the equivalent.

i. “*Part-time*” means enrollment in at least six but less than twelve semester hours or the equivalent.

2. *Allowable activities.* An eligible student may work with an assigned volunteer mentor to help the student meet the requirements of [this section](#) or the requirements of an eligible program, identify and participate in work-based learning opportunities with the approval of the eligible institution, and make other career-related connections.

3. *Scholarship limitations — requirements.*

a. For an eligible student who is attending an eligible institution that is a community college during the fall, spring, or summer term of enrollment, and is pursuing a postsecondary credential up to an associate degree, the annual amount of a future ready Iowa skilled workforce last-dollar scholarship, when combined with other state and federal nonrepayable student aid, shall not exceed an amount equivalent to the tuition and any mandatory institution-wide fees charged by the community college for the eligible program. For an eligible student pursuing a postsecondary credential up to an associate degree at an eligible institution that is an accredited private institution during the fall, spring, or summer term of enrollment, the annual amount of a future ready Iowa skilled workforce last-dollar scholarship, when combined with other state and federal nonrepayable student aid, shall not exceed an amount equivalent to the average tuition rate plus the average institution-wide

mandatory fees charged during the same term of enrollment by the eligible institutions that are community colleges.

b. If an eligible student receives nonrepayable financial aid under any other state or federal program, the full amount of that aid shall be considered part of the student's available financial resources before determining the amount of the student's future ready Iowa skilled workforce last-dollar scholarship for the same period during which the student receives other state or federal financial aid. However, each eligible student enrolled full-time in an eligible program shall receive at least five hundred dollars annually, and the amount received by each eligible part-time student shall be the same amount prorated by the commission based on the number of semester hours, or the equivalent, for which the part-time student is enrolled.

c. A full-time eligible student may receive a future ready Iowa skilled workforce last-dollar scholarship for not more than five semesters, or the equivalent, or until the eligible student earns the credential sought, up to an associate degree, under the program, whichever occurs first. A part-time eligible student may receive the scholarship for not more than eight semesters, or the equivalent, on a prorated basis, or until the eligible student earns the credential sought, up to an associate degree, under the eligible program, whichever occurs first. All classes identified by an eligible institution as required for completion of the eligible program by the eligible student shall be considered required under the eligible program for purposes of [this section](#).

d. A future ready Iowa skilled workforce last-dollar scholarship shall be awarded on an annual basis, requiring reapplication by an eligible student each year. Scholarship payments shall be allocated equally among the semesters, or the equivalent, and paid upon certification by the eligible institution that the student meets the requirements of [subsection 1](#), paragraph "g".

e. If a scholarship recipient discontinues attendance before the end of any semester, or the equivalent, after receiving scholarship payments, the entire amount of any refund due that recipient, up to the full amount of all of the annual scholarship payments made, shall be paid by the eligible institution to the commission. A scholarship recipient, who is not approved for a leave of absence by the eligible institution, who discontinues attendance before the end of a semester, or the equivalent, is ineligible to receive future scholarships under [this section](#).

4. *Commission's duties and responsibilities.* Subject to an appropriation of funds by the general assembly for purposes of [this section](#), the commission shall administer the future ready Iowa skilled workforce last-dollar scholarship program and shall do all of the following:

a. Provide application forms for distribution to students by high schools and eligible institutions.

b. Adopt rules under [chapter 17A](#), in collaboration with the department of workforce development, for administration of [this section](#), including but not limited to establishing the duties and responsibilities of eligible institutions under the program; defining residence and satisfactory academic progress for purposes of the program; and establishing procedures for scholarship application, processing, and approval. The rules shall provide for determining the priority awarding of scholarships if funds available for purposes of [this section](#) are insufficient to pay all eligible students. Priority shall be given to fully awarding each eligible student approved for a scholarship rather than to prorating scholarship awards among all eligible students.

c. Approve and award future ready Iowa skilled workforce last-dollar scholarships on an annual basis.

d. Transmit to the department of workforce development the compilation of information, data, and statistics submitted in accordance with [subsection 1](#), paragraph "e", subparagraph (6), for the annual report required under [section 84A.1B](#).

5. *Fund created.* A future ready Iowa skilled workforce last-dollar scholarship fund is created in the state treasury as a separate fund under the control of the commission. All moneys deposited or paid into the fund are appropriated and made available to the commission to be used for scholarships awarded as provided under [this section](#). Notwithstanding [section 8.33](#), any balance in the fund on June 30 of each fiscal year shall

not revert to the general fund of the state, but shall be available for purposes of [this section](#) in subsequent fiscal years.

[2018 Acts, ch 1067, §12, 15](#); [2018 Acts, ch 1172, §24](#)

C2020, §261.131

[2020 Acts, ch 1117, §16, 17](#); [2022 Acts, ch 1107, §1](#); [2023 Acts, ch 19, §2636, 2641](#)

C2024, §256.228

Referred to in [§15H.10, 84A.1B, 84A.13, 256.7](#)

Section transferred from [§261.131](#) in Code 2024 pursuant to directive in [2023 Acts, ch 19, §2641](#)

Subsection 1, paragraph b amended

256.229 Future ready Iowa skilled workforce grant program.

1. *Definitions.* As used in [this section](#), unless the context otherwise requires:

a. “*Approved virtual institution*” means a nonprofit institution of higher learning that satisfies all of the following requirements:

(1) Is accredited by a national accrediting agency recognized by the United States department of education.

(2) Provides instruction using exclusively a competency-based educational model.

(3) Adopts a policy to require that the nonprofit institution of higher learning shall, by December 15 of each year, file a report with the governor and the general assembly providing information and statistics for the previous five academic years on the number of Iowa resident students per year who are veterans who received education credit for military education, training, and service, that number as a percentage of veterans known to be enrolled at the nonprofit institution of higher learning, the average number of credits received by students, and the average number of credits applied towards the award or completion of a course of instruction, postsecondary diploma, degree, or other evidences of distinction. For purposes of this subparagraph, “*veteran*” means a veteran as defined in [section 35.1](#) or a member of the reserve forces of the United States or the national guard as defined in [section 29A.1](#) who has served at least one year of the member’s commitment and is eligible for or has exhausted federal veterans education benefits under 38 U.S.C. ch. 30, 32, 33, or 36, or 10 U.S.C. ch. 1606 or 1607, respectively.

b. “*Commission*” means the college student aid commission.

c. “*Eligible institution*” means an institution of higher learning governed by the state board of regents, an accredited private institution as defined in [section 256.183](#), or an approved virtual institution, that meets all of the following criteria:

(1) Applies to and is approved by the commission to participate in the future ready Iowa skilled workforce grant program.

(2) Requires eligible students to complete and file application forms required by the commission, apply for all available state and federal financial aid, apply to the eligible institution to participate in the program, attend orientation in person or virtually, register for classes with the assistance of an academic advisor, and participate in academic and career advising sessions required under the program.

(3) Facilitates the assignment of a volunteer mentor or a mentor who is a member of the faculty of the eligible institution to each eligible student based on the eligible student’s interest. A volunteer mentor shall have successfully passed a background investigation and a check of the national sex offender registry as required under [section 15H.10, subsection 2](#), and both the eligible student and the volunteer mentor shall have entered into a written agreement as provided in [section 15H.10, subsection 3](#).

(4) Facilitates connections through campus career centers and services to internships and similar local, state, and federal programs.

(5) Markets the eligible institution’s eligible program and optional incentives, which may include but not be limited to credit for military experience, on the eligible institution’s internet site and to other relevant agencies and organizations as recommended by the college student aid commission, the commission on volunteer service, or the department of workforce development.

(6) Submits annually information and data regarding the eligible program operated by the eligible institution, the students and volunteer mentors participating in the eligible program,

and statistics on employment outcomes for eligible program participants by industry, to the commission in the manner required by the commission.

d. “*Eligible program*” means a program of study or an academic major jointly approved by the commission and the department of workforce development, in consultation with the eligible institution, that leads to a bachelor’s degree aligned with a high-demand job designated by the workforce development board pursuant to [section 84A.1B, subsection 14](#). If the department of workforce development removes a high-demand job from the list created under [section 84A.1B, subsection 14](#), an eligible student who received a grant for a program based on that high-demand job shall continue to receive the grant until achieving a bachelor’s degree as long as the student continues to meet all other eligibility requirements.

e. “*Eligible student*” means an Iowa resident who meets all of the following requirements:

(1) Completes and submits application forms required by the commission, including the free application for federal student aid; applies for all available state and federal financial aid; attends orientation in person or virtually; registers for classes with the assistance of an academic advisor; and participates in academic and career advising sessions required under the eligible program. To receive a renewal of a grant awarded under [this section](#), an eligible student must annually submit a new application to the commission for reevaluation of eligibility.

(2) Is at least twenty-five years of age at the time the individual enrolls in an eligible program.

(3) Enrolls in at least six semester hours, or the equivalent, in an eligible program. However, an eligible student may enroll in fewer than six semester hours, or the equivalent, if the eligible student needs fewer than six semester hours of credit, or the equivalent, to achieve a bachelor’s degree under the eligible program.

(4) Is making satisfactory academic progress as defined by the eligible institution.

(5) Remains continuously enrolled unless granted a leave of absence by the eligible institution based on criteria adopted by rule by the commission.

f. “*Full-time*” means enrollment in at least twelve semester hours or the equivalent.

g. “*Part-time*” means enrollment in at least six but less than twelve semester hours or the equivalent.

2. *Allowable activities.* An eligible student may work with an assigned volunteer mentor, or a mentor who is a member of the faculty of the eligible institution, to help the student meet the requirements of [this section](#) or the requirements of an eligible program, identify and participate in work-based learning opportunities with the approval of the eligible institution, and make other career-related connections.

3. *Grant limitations — requirements.*

a. A full-time eligible student may receive a future ready Iowa skilled workforce grant annually for not more than four semesters, or the equivalent, or until the eligible student earns a bachelor’s degree under the program, whichever occurs first. A part-time eligible student may receive the grant for not more than eight semesters, or the equivalent, on a prorated basis, or until the eligible student earns a bachelor’s degree under the eligible program, whichever occurs first.

b. The amount of a future ready Iowa skilled workforce grant to a full-time eligible student shall be at least one thousand dollars annually. The amount of a future ready Iowa skilled workforce grant to a part-time eligible student shall be equal to the amount that would be awarded to a full-time student except that the commission shall prorate the amount based on the recipient student’s semester hour or equivalent enrollment.

c. A future ready Iowa skilled workforce grant shall be awarded on an annual basis, requiring reapplication by an eligible student each year. Payments under the grant shall be allocated equally among the semesters, or the equivalent, and paid upon certification by the eligible institution that the student meets the requirements of [subsection 1](#), paragraph “e”.

d. If a grant recipient discontinues attendance before the end of any semester, or the equivalent, after receiving grant payments, the entire amount of any refund due that recipient, up to the full amount of grant payments made during that semester, or the equivalent, shall be paid by the eligible institution to the commission.

4. *Commission’s duties and responsibilities.* Subject to an appropriation of funds by the

general assembly for purposes of [this section](#), the commission shall administer the future ready Iowa skilled workforce grant program and shall do all of the following:

- a. Provide application forms for distribution to students by eligible institutions.
 - b. Adopt rules under [chapter 17A](#), in collaboration with the department of workforce development, for administration of [this section](#), including but not limited to establishing the duties and responsibilities of eligible institutions under the program; defining residence and satisfactory academic progress for purposes of the program; and establishing procedures for grant application, processing, and approval. The rules shall provide for determining the priority awarding of grants if funds available for purposes of [this section](#) are insufficient to pay all eligible students. Priority shall be given to fully awarding eligible students approved for grants based on the date of application, rather than prorating grant awards among all eligible students.
 - c. Approve and award grants on an annual basis.
 - d. Transmit to the department of workforce development the compilation of information, data, and statistics submitted in accordance with [subsection 1](#), paragraph “c”, subparagraph (6), for the annual report required under [section 84A.1B](#).
5. *Fund created.* A future ready Iowa skilled workforce grant fund is created in the state treasury as a separate fund under the control of the commission. All moneys deposited or paid into the fund are appropriated and made available to the commission to be used for grants awarded as provided under [this section](#). Notwithstanding [section 8.33](#), any balance in the fund on June 30 of each fiscal year shall not revert to the general fund of the state, but shall be available for purposes of [this section](#) in subsequent fiscal years.

[2018 Acts, ch 1067, §13, 15](#)

[C2020, §261.132](#)

[2021 Acts, ch 170, §20; 2023 Acts, ch 19, §2637, 2641; 2023 Acts, ch 111, §15 – 18](#)

[C2024, §256.229](#)

Referred to in [§15H.10, 84A.1B, 84A.13](#)

See Code editor’s note on simple harmonization at the beginning of this Code volume

Section transferred from §261.132 in Code 2024 pursuant to directive in 2023 Acts, ch 19, §2641

Subsections 1 and 2 amended

Subsection 3, paragraph c amended

Subsection 4, paragraph d amended

Subsection 6 stricken

SUBPART N

IOWA WORKFORCE GRANT AND INCENTIVE PROGRAM

256.230 Iowa workforce grant and incentive program.

1. *Definitions.* As used in [this section](#), unless the context otherwise requires:
 - a. “*Commission*” means the college student aid commission.
 - b. “*Eligible institution*” means an institution of higher learning governed by the state board of regents.
 - c. “*Eligible program*” means any of the following:
 - (1) A program of study or an academic major jointly approved by the workforce development board and the state board of regents pursuant to [section 84A.1B](#), [subsection 17](#). If a job is removed from the list created under [section 84A.1B](#), [subsection 17](#), an eligible student who received a grant for a program based on that job shall continue to receive the grant until the eligible program is completed as long as the student continuously enrolls and continues to meet all other eligibility requirements.
 - (2) A teacher preparation program that leads to a bachelor’s degree, or initial or intern teaching license issued under [this chapter](#).
 - d. “*Eligible student*” means an Iowa resident who has established financial need and who meets all of the following requirements:
 - (1) Completes and submits application forms required by the commission, including the free application for federal student aid, by the deadline prescribed by the commission.
 - (2) Enrolls in at least three semester hours, or the equivalent, in an eligible program.

(3) Is making satisfactory academic progress as defined by the eligible institution.

e. *“Financial need”* means the difference between the student’s financial resources available, including those available from the student’s parents as determined by a completed parents’ confidential statement, and the student’s anticipated expenses while attending an eligible institution.

f. *“Full-time”* means enrollment in at least twelve semester hours or the equivalent.

g. *“Part-time”* means enrollment in at least three semester hours or the equivalent but less than twelve semester hours or the equivalent.

2. *Student eligibility.* An eligible institution shall report promptly to the commission information requested to establish or verify student eligibility.

3. *Grant limitations — requirements.*

a. A full-time eligible student may receive an Iowa workforce grant for not more than four semesters, or the equivalent, or until the eligible student completes the eligible program, whichever occurs first. A part-time eligible student may receive the grant for not more than eight semesters, or the equivalent, on a prorated basis, or until the eligible student completes the eligible program, whichever occurs first.

b. The amount of an Iowa workforce grant to a full-time eligible student shall not exceed two thousand dollars per semester, or the equivalent. The amount of an Iowa workforce grant to a part-time eligible student shall be equal to the amount that would be awarded to a full-time student except that the commission shall prorate the amount based on the recipient student’s semester hour or equivalent enrollment.

c. An Iowa workforce grant shall be awarded on an annual basis, requiring reapplication by an eligible student each year. Payments under the grant shall be allocated equally among the semesters, or the equivalent, and paid upon certification by the eligible institution that the student meets the requirements of [subsection 1](#), paragraph “d”.

d. If a grant recipient discontinues attendance before the end of any semester, or the equivalent, after receiving grant payments, the entire amount of any refund due that recipient, up to the full amount of grant payments made during that semester, or the equivalent, shall be paid by the eligible institution to the commission.

4. *Annual submission of applications.* To receive a renewal of a grant awarded under [this section](#), an eligible student must annually submit a new application to the commission for reevaluation of eligibility.

5. *Priority for grant awards.* In making awards under [this section](#), the commission shall give priority to:

a. Applicants who received an award under [this section](#) in the prior academic year.

b. Applicants with the least financial ability to pay, using a metric that ranks relative financial ability among all applicants.

6. *Iowa workforce incentive payment.* Notwithstanding the grant limitations in [subsection 3](#), an individual who was an eligible student who received an Iowa workforce grant in the academic year in which the eligible program is completed, and who accepts and begins employment in an aligned occupation in this state within six months of completing the eligible program, may apply for one incentive payment of up to two thousand dollars. The incentive payment shall be paid upon completion of twelve consecutive months of full-time employment in the aligned occupation in this state, following completion of the eligible program.

7. *Commission’s duties and responsibilities.* Subject to an appropriation of moneys by the general assembly for purposes of [this section](#), the commission shall administer the Iowa workforce grant and incentive program and shall do all of the following:

a. Provide application forms for distribution to students by eligible institutions.

b. Adopt rules under [chapter 17A](#) for administration of [this section](#), including establishing the duties and responsibilities of eligible institutions under the program, defining residence and satisfactory academic progress for purposes of the program, determining financial need, and establishing procedures for grant and incentive payment application, processing, and approval. The rules shall provide for determining the priority awarding of grants and incentives if moneys available for purposes of [this section](#) are insufficient to pay all eligible applicants.

c. Approve and award grants and incentive payments on an annual basis.

8. *Fund created.* An Iowa workforce grant and incentive program fund is created in the state treasury under the control of the commission. All moneys deposited or paid into the fund are appropriated to the commission to be used for grants and incentive payments awarded as provided in [this section](#). Notwithstanding [section 8.33](#), moneys in the fund that remain unencumbered or unobligated at the close of a fiscal year shall not revert but shall remain available for expenditure for the purposes designated. Notwithstanding [section 12C.7, subsection 2](#), interest or earnings on moneys in the fund shall be credited to the fund.

[2023 Acts, ch 111, §13](#)

Referred to in [§84A.1B](#)

NEW section